

LCB File No. R106-99

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 275 pertaining to Chapter 488 of the Nevada Administrative Code.

1. **The need for and purpose of the proposed regulation:** To establish a flat wake zone to reduce speed within the designated mooring area of Glenbrook Bay.
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. Vessels required to slow down. By designating the flat wake zone, it will be marked which will make it easier for the public to comply and law enforcement personnel to enforce.
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. No duplication

6. **If the regulation does not overlap or duplicate a federal regulation. If it does the name of the regulating federal agency is _____. If the regulation is required pursuant to federal law, a citation and description of the federal law:**
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:** 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.

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**PROPOSED REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS
COMMISSION GENERAL REGULATION 275**

Authority: NRS 488.045, 501.181, and 501.243

Notice of Intent: August 11, 1999

Commission Approval:

Workshop Date: September 10, 1999

EXPLANATION: Amends NAC 488.455, by establishing a flat-wake zone outside of the designated mooring area of Glenbrook Bay.

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

Section 1. NAC 488.455 is hereby amended to read as follows:

488.455 1. On the following waters, a vessel must be operated at a speed that leaves a flat wake, but in no case may a vessel be operated at a speed in excess of 5 nautical miles per hour:

<u>Waters</u>	<u>County</u>
(a) Bassett Lake	White Pine
(b) Cave Lake	White Pine
(c) Knott Creek Reservoir	Humboldt
(d) Jakes Creek Reservoir	Elko
(e) Onion Valley Reservoir	Humboldt
(f) Wayne E. Kirch Wildlife Management Area	Nye
(g) The lagoon south of Laughlin within sec. 33, T. 32 S., R. 66 E., M.D.B. & M., as marked with signs or buoys, or both	Clark
(h) Likes Lake	Churchill

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| (i) The Pitt Taylor Arm of Rye Patch Reservoir | Pershing |
| (j) Illipah Reservoir | White Pine |
| (k) Mason Valley Wildlife Management Area | Lyon |
| (l) Upper Wall Canyon Reservoir | Washoe |
| (m) Echo Canyon Reservoir | Lincoln |
| (n) Silver Creek Reservoir | White Pine |
| (o) Key Pittman Wildlife Management Area | Lincoln |

2. All boat harbors and other areas designated by buoys on any of the following waters are zones in which a vessel must be operated at a speed that leaves a flat wake, but in no case may a vessel be operated at a speed in excess of 5 nautical miles per hour:

<u>Waters</u>	<u>County</u>
(a) Lake Mead National Recreation Area	Clark
(b) South Fork Reservoir	Elko
(c) Wildhorse Reservoir	Elko
(d) Lake Tahoe, Zephyr Cove	Douglas
Cave Rock	Douglas
Round Hill Pines Beach	Douglas
<i>Glenbrook Bay</i>	<i>Douglas</i>
Sand Harbor	Washoe
Incline Village General Improvement District Boat Ramp	Washoe
Crystal Shores West	Washoe
(e) Washoe Lake State Park	Washoe

County Boat Ramp	Washoe
(f) Walker Lake State Recreation Area	Mineral
Sportsmen's Beach	Mineral
(g) Lahontan Reservoir, Churchill Beach	Churchill
North Shore Marina	Churchill
Silver Springs Beach	Lyon
(h) Rye Patch Reservoir, Rye Patch Dam Access	Pershing
(i) Topaz Lake, Boat Ramps	Douglas
(j) Colorado River, adjacent to Harrah's Casino in Laughlin	Clark
(k) Big Bend of the Colorado State Recreation Area, the lagoon used for launching boats	Clark