

Chapter 503 of NAC

LCB File No. T011-07

ADOPTED TEMPORARY REGULATION OF THE BOARD OF WILDLIFE COMMISSIONERS

Filed with the Secretary of State on May 7, 2007

COMMISSION GENERAL REGULATION 347

Authority: NRS 501.105, 501.110, 501.181, 503.597, 504.295

Notice of Intent: March 23, 2007

Workshop Date: March 30, 2007

Commission Approval: March 31, 2007

EXPLANATION: The proposed change would add all species of the genus Dreissena to the list of prohibited mollusks. This genus contains two aquatic species of concern, the zebra mussel and the quagga mussel, both of which are known as invasive species which can cause serious environmental damage once established.

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

Section. 1. NAC 503.110 is hereby amended to read as follows:

503.110 1. Except as otherwise provided in this section and NAC 504.486, the importation, transportation or possession of the following species of live wildlife or hybrids thereof, including viable embryos or gametes, is prohibited:

(a) Fish:

Common Name	Scientific Classification
(1) Lampreys.....	All species in the family Petromyzontidae
(2) Freshwater stingray.....	All species in the family Potamotrygonidae
(3) Freshwater shark.....	All species in the genus <i>Carcharhinus</i>
(4) Bowfin.....	<i>Amia calva</i>
(5) Gars.....	All species in the family Lepisosteidae
(6) Herring and shad, except threadfin shad	All species in the family Clupeidae, except <i>Dorosoma petenense</i>
(7) European Whitefish.....	All species in the genus <i>Leuciscus</i>
(8) Mexican banded tetra.....	<i>Astyanax mexicanus</i>
(9) Piranhas.....	All species in the genera <i>Serrasalmus</i> , <i>Serrasalmo</i> , <i>Pygocentrus</i> , <i>Teddyella</i> , <i>Rooseveltiella</i> and <i>Pygopristis</i>

**Common Name****Scientific Classification**

(10) South American Parasitic Catfish.....	All species in the families Cetoposidae and Trichomycteridae
(11) White perch.....	<i>Morone Americana</i>
(12) Freshwater drum.....	<i>Aplodinotus grunniens</i>
(13) Grass carp, except certified triploids as authorized by a special permit.....	<i>Ctenopharyngodon idella</i>
(14) Pike top minnow.....	<i>Belonesox belizanus</i>
(15) Snakehead.....	All species in the genera <i>Ophicephalus</i> and <i>Channa</i>
(16) Walking catfish.....	All species in the genera <i>Clarias</i> , <i>Heteropneustes</i> and <i>Dinotopterus</i>
(17) Tiger fish.....	<i>Hoplias malabaricus</i>
(18) Sticklebacks.....	All species in the genera <i>Apeltes</i> , <i>Eucalia</i> , <i>Gasterosteus</i> and <i>Pungitius</i>
(19) Tilapia.....	All species in the genera <i>Tilapia</i> and <i>Sarotherodon</i>
(20) Nile perch.....	All species in the genera <i>Lates</i> and <i>Luciolates</i>
(21) Goldeye.....	All species in the genus <i>Hiodon</i>
(22) Carp:	
(I) Bighead.....	<i>Hypophthalmichthys nobilis</i>
(II) Black (snail).....	<i>Mylopharyngodon piceus</i>
(III) Crucian.....	<i>Carassius carassius</i>
(IV) Indian.....	<i>Catla catla</i> , <i>Cirrhina mrigala</i> and <i>Labeo rohita</i>
(V) Silver.....	<i>Hypophthalmichthys molitrix</i>
(23) Rudd.....	<i>Scardinius erythrophthalmus</i>
(24) Northern Pike.....	<i>Esox lucius</i>

## (b) Reptiles:

**Common Name****Scientific Classification**

(1) Alligators and caimans.....	All species in the family Alligatoridae
(2) Crocodiles.....	All species in the family Crocodylidae
(3) Gharial (gavial).....	All species in the family Gavialidae
(4) Bird snake.....	All species in the genus <i>Thelotornis</i>
(5) Boomslang.....	<i>Dispholidus typus</i>
(6) Keelbacks.....	All species in the genus <i>Rhabdophis</i>
(7) Burrowing Asps.....	All species in the family Atractaspidae
(8) Coral snakes, cobras, kraits, mambas and Australian elapids.....	All species in the family Elapidae, except species in the subfamily Hydrophiinae
(9) Pit vipers and true vipers, except species indigenous to this State.....	All species in the family Viperidae, except species indigenous to this State

**Common Name**

**Scientific Classification**

(10) Snapping Turtles..... All species in the family Chelydridae

(c) Amphibians:

**Common Name**

**Scientific Classification**

(1) Clawed frogs..... All species in the genus *Xenopus*  
(2) Giant or marine toads..... *Bufo horribilis*, *Bufo marinus* and *Bufo paracnemis*

(d) Mammals:

**Common Name**

**Scientific Classification**

(1) Wild Dogs or Dhole..... *Cuon alpinus*  
(2) Raccoon Dog..... *Nyctereutes procyonoides*  
(3) Mongooses and Meerkats..... All species in the genera *Atilax*, *Cynictis*, *Helogale*, *Mungos*, *Suricate*, *Ichneumia* and *Herpestes*  
(4) Wild European Rabbit..... *Oryctolagus cuniculus*  
(5) Multimammate Rat or Mouse..... All species in the genus *Mastomys* (= *Praomys*)  
(6) Bats..... All species in the order Chiroptera  
(7) Nutria..... *Myocastor coypus*  
(8) Coyote..... *Canis latrans*  
(9) Foxes..... All species in the genera *Vulpes*, *Fennecus*, *Urocyon*, *Alopex*, *Lycalopex* and *Pseudalopex*  
(10) Raccoon..... *Procyon lotor*  
(11) Skunk..... All species in the genera *Spilogale*, *Mephitis* and *Conepatus*  
(12) Wild pigs and hogs..... All species in the family Suidae, except domestic breeds of *Sus scrofa*  
(13) Axis deer..... *Cervus* (= *Axis*) *axis*, *C. porcinus*, *C. kuhli* and *C. calamianesis*  
(14) Red deer, elk and wapiti..... All subspecies of *Cervus elaphus*, except those members of *C. elaphus nelsoni* which are alternative livestock, as that term is defined in NRS 501.003  
(15) Rusa deer..... *Cervus timorensis*  
(16) Sambar deer..... *Cervus unicolor*  
(17) Sika deer..... *Cervus nippon*  
(18) Roe deer..... *Capreolus capreolus* and *C. pygargus*  
(19) White-tailed deer..... *Odocoilus virginianus*

**Common Name****Scientific Classification**

(20) Moose.....	<i>Alces alces</i>
(21) Reedbucks.....	All species in the genus <i>Redunca</i>
(22) Oryx and Gemsbok.....	All species in the genus <i>Oryx</i>
(23) Addax.....	<i>Addax nasomaculatus</i>
(24) Blesbok, Topi and Bontebok.....	All species in the genus <i>Damaliscus</i>
(25) Hartebeests.....	All species in the genera <i>Alcelaphus</i> and <i>Sigmoceros</i>
(26) Wildebeestand Gnus.....	All species in the genus <i>Connochaetes</i>
(27) Chamois.....	<i>Rubicapra rubicapra</i> and <i>R. pyrenaica</i>
(28) Tahr.....	All species in the genus <i>Hemitragus</i>
(29) Ibex, Wild Goats, Tur and Markhor....	All species in the genus <i>Capra</i> , except domestic goats, <i>Capra hircus</i>
(30) Barbary (Aoudad) Sheep.....	<i>Ammotragus lervia</i>
(31) Mouflon sheep, Urial, Bighorn and Argali.....	All species in the genus <i>Ovis</i> , except domestic sheep, <i>Ovis aries</i>

## (e) Birds:

**Common Name****Scientific Classification**

(1) Pink Starling or Rosy Pastor.....	<i>Sturnus roseus</i>
(2) Red-billed Dioch.....	<i>Quelea quelea</i>
(3) Red-whiskered Bul-bul.....	<i>Pycnonotus jososus</i>

## (f) Crustaceans:

**Common Name****Scientific Classification**

(1) Asiatic mitten crab.....	<i>Eriocheir sinensis</i>
(2) Crayfish.....	All species in the families Parastacidae, Ambaridae and Astacidae, except <i>Procambarus clarkii</i> , <i>Orconectes causii</i> and indigenous species of the genus <i>Pacifastacus</i>

## (g) Mollusks:

**Common Name****Scientific Classification**

(1) African giant snail.....	<i>Achatina fulica</i>
(2) Zebra <i>and Quagga</i> mussels.....	<i>All species in the genus Dreissena polymorpha</i>
(3) New Zealand mud snail.....	<i>Potamopyrgus antipodarum</i> , <i>P. jenkinsi</i>

2. The headquarters of the Department and each regional office of the Department will maintain a physical description and picture of each species listed in this section when reasonably available.

3. The Department may issue a permit or license for the importation, transportation or possession of a species listed in this section only to:

(a) A zoo or aquarium which is an accredited institutional member of the American Zoo and Aquarium Association.

(b) A person who displays, exhibits or uses the species for entertainment or commercial photography, including, without limitation, motion pictures, still photography or television, if the species:

(1) Is accompanied by evidence of lawful possession;

(2) Is not in this State for more than 90 days; and

(3) Is maintained under complete control and prohibited from coming into contact with members of the general public.

If the person is displaying, exhibiting or using mammals for commercial purposes other than for food or fiber, he must possess the appropriate license issued by the United States Department of Agriculture.

(c) A college, university or governmental agency, for scientific or public health research.

(d) Any other scientific institution, as determined by the Department, for research or medical necessity.

(e) Any person engaged in commercial aquaculture, upon application and proof to the Department that the activity will not be detrimental to aquatic life, other wildlife or recreational uses. As a condition of the issuance to such a person of a license for the possession of a species listed in this section, a bond may be required to provide for the removal of any species to which the license applies that may escape or be released from captivity for any reason. The amount of the bond will be determined by the Department after considering the degree of potential hazard to wildlife.

(f) A tax-exempt nonprofit organization that exhibits wildlife solely for educational or scientific purposes.

4. An interstate shipment of a species listed in this section may be transported through this State, without a permit or license issued by the Department, if:

(a) The shipper or transporter has evidence of lawful possession of the species issued by the state or country where the species originated;

(b) Mammals, birds or fish are accompanied by a health certificate issued by the state or country where the species originated that indicates the destination, origin and proof of ownership of the species being transported;

(c) The species is in this State for less than 48 hours; and

(d) The species is not unloaded or otherwise released while being transported through this State.

5. This section does not apply to the Department when it is conducting authorized introductions or transplantations of a native species of big game mammal listed in this section.

**NOTICE OF ADOPTION OF TEMPORARY REGULATION  
LCB File No. T011-07**

The Board of Wildlife Commissioner adopted temporary regulations assigned LCB File No. T011-07 which pertain to chapter 503 of the Nevada Administrative Code on May 7, 2007.

**INFORMATIONAL STATEMENT**

**1. Description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.**

The proposed regulation was noticed and posted on an agenda according to the Open Meeting Law; distributed to the Board of Wildlife Commissioners, 17 county advisory boards to manage wildlife, and other interested persons; presented at a public workshop and at the board of Wildlife Commissioners' public meeting. A summary is available by contacting the Department of Wildlife.

**2. The number of persons who:**

- (a) Attended each hearing: 12
- (b) Testified at each hearing: 1
- (c) Submitted to the agency written statements: 0

**3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary:**

**4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change: N/A**

**5. The estimated economic effect of the regulations on the businesses they are to regulate and on the public.**

(a) **Estimated economic effect on the businesses which they are to regulate.**

- (1) Adverse – None
- (2) Beneficial – None
- (3) Immediate – None
- (4) Long term – None

(b) **Estimated economic effect on the public which they are to regulate.**

- (1) Adverse – None
- (2) Beneficial – None
- (3) Immediate – None
- (4) Long term – None

**6. The estimated cost to the agency for enforcement of the proposed regulation:** None, Quagga mussels, an aquatic invasive species, are already the subject of education and enforcement efforts the change in status will have minimal effect.

**7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary:**

**If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:**

**8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions:** N/A

**9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used:** N/A