

Chapter 488 of NAC

LCB File No. T022-07

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

**NOTICE OF INTENT TO ACT UPON A REGULATION
Notice of 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 on May 12, 2007 at TBA a.m., at the Nevada Department of Wildlife, 1100 Valley Road, Reno, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation CGR 348 (LCB File No. T022-07) pertaining to Chapter 502 of the Nevada Administrative Code.

1. The need for and purpose of the proposed regulation: (Description of regulation)
Amends NAC 488.458 Mooring or anchoring of vessels; placement and removal of mooring buoys by deleting section 1 (c) regarding Lake Tahoe mooring AND anchoring areas and moving it to a new section 2 designating areas for mooring (only) and prohibiting anchoring in these mooring areas.
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
 - (b) Beneficial effect – none
 - (c) Immediate effect – none
 - (d) Long-term effect – none
- 3B. 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 Department of Wildlife for enforcement of the proposed regulation:

None, routine patrol efforts by both NDOW and Douglas County

5. A description of and citation to any regulations of other state or local government agencies which the proposed regulation overlaps or duplicates, none. The duplication or overlapping is necessary because _____. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency: _____.
6. 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:

none
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, 1100 Valley Road, Reno, Nevada 89512. 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
(775) 688-1500

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

Eastern Region
60 Youth Center Road
Elko, NV 89801
(775) 777-2300

Southern Region
4747 Vegas Drive
Las Vegas, NV 89108
(702) 486-5127

The regulations will 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 are 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.

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

Authority: NRS

Notice of Intent: March 22, 2007

Workshop Date: May 11, 2007

Commission Approval Date: May 12, 2007

EXPLANATION:

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

Section. 1. NAC 488.458 is hereby amended to read as follows:

488.458 1. The Commission hereby designates areas for mooring or anchoring vessels within the following locations:

(a) On Lake Mohave, the location established as Cottonwood Cove by the Superintendent of the Lake Mead National Recreation Area.

(b) On Lake Mead, the locations established as:

- (1) Boulder Harbor;
- (2) Calville Bay;
- (3) Echo Bay;
- (4) Las Vegas Bay; and
- (5) Overton Beach,

by the Superintendent of the Lake Mead National Recreation Area.

~~{(c) On Lake Tahoe, Round Hill Pines Beach, Glenbrook Bay and Zephyr Cove Marina located in Douglas County.}~~

2. The Commission hereby designates areas for mooring vessels within the following locations:

(a) On Lake Tahoe, the locations in Douglas County established as:

- (1) Round Hill Pines Beach,*
- (2) Glenbrook Bay, and*
- (3) Zephyr Cove Marina.*

(b) Vessels are prohibited from anchoring within the mooring area.

~~{2.}~~ 3. The areas designated by the Commission pursuant to subsection 1 will be marked pursuant to NRS 488.265.

~~{3.}~~ 4. Vessels are prohibited from mooring or anchoring on the Colorado River within the area designated by buoys at Harrah's Casino in Laughlin.

~~{4.}~~ 5. The Department will collect a fee of \$30 for the issuance or renewal of a permit to place a mooring buoy in the non-navigable waters of this State.

~~{5.}~~ 6. The Department will remove a mooring buoy that is unlawfully placed and, for the removal of such a mooring buoy, assess an administrative fine. The amount of the administrative fine will be \$100 in addition to an amount equal to the cost to the Department of labor and equipment for the removal of the mooring buoy.