

**ADOPTED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS**

LCB File No. R056-11

Effective December 30, 2011

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §1, NRS 501.105, 501.110 and 501.181; §2, NRS 501.105, 501.181, 503.597 and 504.295.

A REGULATION relating to wildlife; classifying the rosy boa as a protected reptile; providing for the possession, transportation, importation and exportation of certain wolves without a permit or license issued by the Department of Wildlife; and providing other matters properly relating thereto.

Section 1. NAC 503.080 is hereby amended to read as follows:

503.080 1. The following reptiles are classified as protected:

	Common Name	Scientific Name
Lizard	Gila Monster	<i>Heloderma suspectum</i>
	Sierra Alligator	<i>Elgaria coerulea palmeri</i>
	Shasta Alligator	<i>Elgaria coerulea shastaensis</i>
Snake	<i>Rosy boa</i>	<i>Lichanura trivirgata</i>
	Sonoran Mountain King	<i>Lampropeltis pyromelana</i>

2. The following protected reptile is further classified as threatened:

Common Name

Scientific Name

Tortoise Desert.....*Gopherus agassizi*

3. All species of reptiles which are not classified as protected, sensitive, threatened or endangered are unprotected.

Sec. 2. NAC 503.140 is hereby amended to read as follows:

503.140 1. Except as otherwise provided in subsection 4 and NAC 503.500 to 503.535, inclusive, the following animals may be possessed, transported, imported and exported without a permit or license issued by the Department:

- (a) Canaries;
- (b) Toucans;
- (c) Lovebirds;
- (d) Nonindigenous house finches;
- (e) Parakeets;
- (f) Cockatiels;
- (g) Mynah birds;
- (h) Parrots;
- (i) Hamsters;
- (j) Domesticated races of rats and mice;
- (k) Gerbils;
- (l) Guinea pigs;
- (m) Monkeys and other primates;

- (n) Aquarium fish;
- (o) Marsupials;
- (p) Elephants;
- (q) All felines, except mountain lions and bobcats;
- (r) Wolves ~~[-]~~ *that are lawfully acquired and bred in captivity*;
- (s) Camels (*Camelus* spp.);
- (t) European ferret (*Mustela putorius*);
- (u) Llamas (*Lama glama*);
- (v) American Bison;
- (w) Marine mammals;
- (x) Ostrich (*Struthio* spp.);
- (y) Emus (*Dromiceius* spp.);
- (z) Rheas (*Rhea* spp.);
- (aa) Nonvenomous, nonindigenous reptile species and subspecies;
- (bb) Albino forms of indigenous reptile species;
- (cc) Alpaca (*Lama pacos*);
- (dd) Guinea fowl (*Numida meleagris*);
- (ee) Old World species of pheasants, partridges, quails, francolin, peafowl and jungle fowl (nonendemic species of the subfamily *Phasianae*), except:
 - (1) Chukar partridge;
 - (2) Hungarian (gray) partridge;
 - (3) Snow cock; and
 - (4) Ring-necked and white, winged pheasant;

- (ff) Domesticated races of turkey (*Meleagris gallopavo*), distinguished morphologically from wild birds;
- (gg) Domesticated races of ducks and geese (*Anatidae*), distinguished morphologically from wild birds;
- (hh) Domesticated races of chinchillas;
- (ii) Domesticated races of mink;
- (jj) Waterfowl reared in captivity that are lawfully acquired pursuant to the regulations adopted by the United States Fish and Wildlife Service;
- (kk) Those species of ducks, geese and swans not listed as protected pursuant to the Migratory Bird Treaty Act, 16 U.S.C. §§ 703 et seq.;
- (ll) Yak (*Bos grunniens*);
- (mm) Cassowary;
- (nn) Coturnix quail (*Coturnix coturnix*);
- (oo) Zebra (*Equus* spp.);
- (pp) Salt water fish, crustaceans and mollusks;
- (qq) Nonindigenous species of amphibians, except:
- (1) Bullfrogs (*Rana catesbeiana*); and
 - (2) Species listed in NAC 503.110;
- (rr) African pygmy hedgehogs (*Atelerix albiventris*); and
- (ss) California kingsnakes (*Lampropeltis getulus californiae*) that do not have between their head and vent a continuous pattern of bands or rings regardless of whether the bands or rings are opened or closed.

2. Species listed in this section must not be released into the wild, except as otherwise authorized by the Department in writing.

3. Except as otherwise provided in subsection 4, lawfully acquired species listed in this section may be sold in Nevada.

4. This section does not authorize the sale, possession, transportation, importation or exportation of animals in violation of any applicable federal or state law, county or city ordinance, or any regulation adopted pursuant thereto.

5. As used in this section ~~[, “aquarium] :~~

(a) *“Aquarium fish”* includes ~~[all the] any~~ species of fish, except the species listed in NAC 503.110, which ~~[are listed in H. Axelrod and W. Vorderwinkler, Encyclopedia of Tropical Fishes, 29th ed., 1988. A copy of that publication may be obtained from T.F.H. Publications, Inc., One T.F.H. Plaza, Neptune City, New Jersey 07753, for a price of \$17.59.] is:~~

(1) Not used as bait or for human consumption; and

(2) Maintained for personal or pet industry purposes in a closed system that does not allow the species of fish to exit an aquarium or pond and does not allow any other live aquatic species to enter the aquarium or pond.

(b) “Wolves” includes any wolf or hybrid of a wolf. As used in this paragraph, “hybrid” means any canid hybrid resulting from the mating of a wolf and a dog.

**Informational statement relating to Commission General Regulation No. 401
(LCB File No. R056-11 - as required by Chapter 233B.066.**

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, master guides 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:** 31 Workshop/30 Hearing
- (b) **Testified at each hearing:** 8 Workshop/3 Hearing
- (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: 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, master guides 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.

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:

The regulation was adopted as proposed with the exception leaving Red Fox as a fur-bearing mammal and deleting (**Eurasian Collared Dove**) and relating to wolves deleting language (**or any subspecies**).

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 – N/A**
- (2) **Beneficial – N/A**
- (3) **Immediate – N/A**
- (4) **Long term – N/A**

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

- (1) Adverse – N/A**
- (2) Beneficial – N/A**
- (3) Immediate – N/A**
- (4) Long term – N/A**

6. The estimated cost to the agency for enforcement of the proposed regulation: N/A

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: N/A

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