

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

LCB File No. R054-11

October 19, 2011

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

AUTHORITY: §1, NRS 501.105, 501.181 and 501.1818; §2, NRS 501.105, 501.181, 503.597 and 504.295; §3, NRS 501.105, 501.181 and 503.380; §4, NRS 501.105 and 501.181.

A REGULATION relating to wildlife; authorizing the commercial taking of crayfish without the imposition of demerit points under certain circumstances; authorizing the importation, transportation or possession of a certain species of shad; prohibiting the importation, transportation or possession of a certain species of eel; authorizing a person to obtain a permit to take crayfish commercially from the waters of Lake Tahoe under certain circumstances; authorizing the filleting of fish before transport under certain circumstances; and providing other matters properly relating thereto.

Section 1. NAC 501.200 is hereby amended to read as follows:

501.200 1. A person who is convicted of a wildlife violation will be assessed demerit points pursuant to the following schedule:

HUNTING AND TAKING

Classification of Violations	NRS Section	NAC Section	Demerits
Unlawfully shooting at a game mammal or game bird from an aircraft, helicopter or motor-driven vehicle or using such a vehicle to molest, rally, stir up or drive game mammals or game birds.....	503.010	-----	12
Spotting or locating game mammals or game birds from an aircraft or helicopter and communicating that information to a person on the ground for the purpose of hunting	503.010	-----	12
Unlawfully using information obtained in violation of subsection 3 of NRS 503.010 to hunt or kill game mammals or game birds	503.010	-----	12
Unlawfully using a helicopter to transport game, hunters or hunting equipment.....	503.010	-----	12
Unlawfully killing or attempting to kill birds or animals from an aircraft	503.005	-----	12

Unlawfully using an aircraft, balloon or satellite to locate or observe big game for the purpose of hunting	501.385	503.148	12
Hunting or taking an endangered species without a special permit	503.585	503.093	12
Unlawfully killing, destroying, wounding, trapping or injuring bald eagles or golden eagles.....	503.610	-----	12
Unlawfully taking bald eagles or golden eagles	503.620	-----	12
Taking twice the legal limit or more of big game mammals	501.385	-----	12
Hunting or taking a threatened species	501.385	503.093	9
Unlawfully killing a fur-bearing mammal during the closed season.....	503.440	-----	9
Unlawfully hunting migratory waterfowl by aid of baiting.....	501.385	503.180	6
Hunting big game mammals during the closed season	503.090	-----	6
Hunting fur-bearing mammals during the closed season	501.015	-----	6
Hunting big game mammals in closed areas.....	501.385	504.340	6
Hunting fur-bearing mammals in closed areas	501.385	504.340	6

Unlawfully hunting in a privately owned wildlife			
management area.....	504.140	-----	6
Unlawfully hunting in a state-owned wildlife			
management area.....	504.143	-----	6
Hunting big game mammals or migratory waterfowl			
during prohibited hours	503.140	-----	6
Unlawfully hunting game birds or game mammals			
with the aid of artificial light.....	503.150	-----	6
Hunting or taking a sensitive species.....	501.385	503.093	6
Hunting, trapping, possessing or selling birds of			
prey or raptors without a permit.....	503.582	503.205	6
Hunting alternative livestock	503.242	-----	6
Taking a game mammal of a prohibited age or with			
prohibited physical characteristics	501.385	-----	6

UNLAWFUL POSSESSION

Classification of Violations	NRS Section	NAC Section	Demerits
Unlawfully possessing live wildlife that is classified as prohibited.....	504.295	503.110	12
Unlawfully possessing big game mammals during the closed season.....	503.030	-----	12
Possessing a big game mammal or parts thereof without a tag attached thereto	502.150	-----	9
Possessing twice the legal limit or more of game birds or game mammals, other than big game	501.385	-----	9
Possessing twice the legal limit or more of game fish.....	501.385	-----	9
Unlawfully possessing a fur-bearing mammal during the closed season	503.030	-----	9
Possessing game birds or game mammals, other than big game, during the closed season.....	503.030	-----	6
Possessing fish during the closed season.....	503.030	-----	6

Possessing game birds or game mammals, other than big game, in excess of the legal limit but less than twice the legal limit.....	501.385	-----	6
Possessing game fish in excess of the legal limit but less than twice the legal limit.....	501.385	-----	6
Possessing a species that may not legally be possessed without a license or permit	501.385	-----	6

TAGS AND SEALS

Classification of Violations	NRS Section	NAC Section	Demerits
Hunting big game or wild turkey without a tag	502.130	-----	9
Unlawfully transferring a tag to another person	502.140	502.385	9
Possessing or using a tag legally issued to another person	502.140	502.385	9
Obtaining tags in excess of the legal limit	502.140	502.331	9
Possessing used tags or tags in excess of the legal limit	502.150	-----	9

Unlawfully using a tag	502.200	-----	9
Using a tag in an improper area	502.160	502.385	6
Failing to punch a tag properly	502.160	502.390	6
Failing to attach a tag to a big game mammal in the manner prescribed by regulation.....	502.160	502.400	6
Hunting by a Native American off a Native American reservation without a tag	502.280	-----	6
Possessing fur-bearing mammals, other than a bobcat, without a seal.....	501.385	-----	6
Possessing the pelt of a bobcat without a seal	501.385	502.347	6
Possessing the hide of a mountain lion without a seal.....	501.385	502.370	6
Possessing the horns of a bighorn sheep without a seal or brand	501.385	502.345	6

PERMITS

Classification of Violations	NRS Section	NAC Section	Demerits
Unlawfully importing or transporting a prohibited species of wildlife without a permit or license.....	503.597	503.110	12
Collecting unprotected wildlife for commercial purposes without a permit	501.385	503.095	12
Collecting live bait fish or live aquatic bait for commercial purposes without a permit	501.385	503.513	12
Collecting unprotected fish for commercial purposes without a permit	501.385	503.545	12
Selling live bait without a permit.....	501.379	503.513	6
Conducting a field trial without a permit.....	503.200	503.610	6
Conducting a dredging operation without a permit	503.425	503.810	6
Possessing a raptor without a permit	503.582	503.205	6
Furnishing false information to obtain a permit	502.060	-----	6
Hunting swan without a swan hunt permit	-----	502.380	6
Transferring or giving a swan hunt permit to any other person.....	-----	502.380	6

Using or possessing a swan hunt permit issued to another person	-----	502.380	6
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FISHING

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Fishing at a fish hatchery or other waters used for the purpose of rearing or growing fish.....	503.360	-----	6

MISCELLANEOUS FISH AND GAME

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Obstructing, hindering or otherwise interfering with an officer, employee or agent of the Department.....	501.385	-----	12
Unlawfully selling big game mammals	501.379	-----	12

Unlawfully selling an endangered species.....	501.379	-----	12
Needless waste of big game mammals	503.050	-----	12
Needless waste of game birds or game mammals, other than big game.....	503.050	-----	9
Unlawfully selling a threatened species.....	501.379	-----	9
Unlawfully selling game other than big game mammals	501.379	-----	6
Unlawfully selling a sensitive or protected species	501.379	-----	6
Unlawfully selling game fish.....	501.381	-----	6
Needless waste of game fish.....	503.050	-----	6
Unlawfully carrying a loaded rifle or shotgun in vehicle	503.165	-----	6
Unlawfully discharging a firearm.....	503.175	-----	6
Failing to retain the cape or scalp and any antlers or horns of wildlife.....	501.385	503.173	6
Destroying or mutilating signs of the Department.....	501.383	-----	6
Polluting water	503.430	-----	6
Removing, altering or tampering with a tag placed on wildlife or on seized equipment	501.377	-----	6

Commercial taking of crayfish , <i>except in</i> <i>accordance with a permit issued pursuant to</i> <i>NAC 503.540</i>	501.385	503.540	6
Intentionally interfering with a person lawfully hunting or trapping.....	503.015	-----	6
Hunting or trapping on private property without permission	503.240	-----	6
Failing to make a reasonable effort to retrieve dead or crippled migratory waterfowl	501.385	503.180	6

CATEGORY E FELONIES AND
GROSS MISDEMEANORS

Classification of Violations	NRS Section	NAC Section	Demerits
Conviction of a felony for intentionally killing a big game mammal, including aiding and abetting a person in the commission of the killing	501.376	-----	12

Conviction of a gross misdemeanor for intentionally killing a big game mammal, including aiding and abetting a person in the commission of the killing	501.376	-----	12
Conviction of a gross misdemeanor for willfully possessing an unlawfully killed big game mammal.....	501.376	-----	12
Acting as a master guide or subguide without a license.....	504.395	-----	12
Furnishing false information to obtain a big game tag.....	502.060	-----	12

TRAPPING

Classification of Violations	NRS Section	NAC Section	Demerits
Unlawfully capturing a raptor with a steel leghold trap placed, set or maintained within 30 feet of exposed bait.....	501.385	503.157	6
Trapping in a closed area	501.385	504.340	6

Unlawfully removing or disturbing a trap lawfully being used by another person.....	503.454	-----	6
Trapping fur-bearing mammals during closed season.....	503.440	-----	6
Trapping birds of prey or raptors without a permit or by unlawful means	503.582	503.205	6

LICENSES

	NRS	NAC	
Classification of Violations	Section	Section	Demerits
Refusing to exhibit a license, wildlife, weapon, ammunition, device or apparatus	502.120	-----	12
Hunting without having procured a license	502.010	-----	6
Fishing without having procured a license	502.010	-----	6
Hunting without a license in possession	502.120	-----	6
Fishing without a license in possession	502.120	-----	6
Furnishing false information to obtain a license.....	502.060	-----	6

Furnishing of false information by a person serving			
in the Armed Forces of the United States to obtain			
a license.....	502.290	502.220	6
Unlawfully transferring a license to another person.....	502.100	-----	6
Unlawfully using a license of another person.....	502.100	-----	6
Obtaining more than one license of each class.....	502.110	-----	6
Altering a license.....	502.105	-----	6
Practicing falconry without a license.....	503.583	503.235	6
Operating as a fur dealer without a license.....	505.010	-----	6
Trapping without having procured a license.....	502.010	-----	6
Taking fur-bearing mammals, trapping unprotected			
mammals or selling raw furs for profit without			
having procured a license.....	503.454	-----	6
Trapping without a license in possession.....	502.120	-----	6
Hunting, fishing or trapping using a license that is			
invalid by reason of expiration or a false			
statement made to obtain the license.....	502.060	-----	6
Operating a shooting preserve without a license.....	504.310	-----	6
Performing taxidermal services without a license.....	502.370	502.435	6
Obtaining a hunting license without obtaining			
certification as a responsible hunter.....	502.360	-----	6

2. A person who is convicted of committing a wildlife violation that does not appear in the schedule set forth in subsection 1 will be assessed 3 demerit points.

3. A person who is convicted of committing a wildlife violation within 60 months after a conviction for the same violation will be assessed double the amount of demerit points listed in the schedule set forth in subsection 1.

4. A person who is convicted of committing any four wildlife violations arising out of separate events within a 60-month period will be assessed an extra 12 demerit points.

Sec. 2. 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 *and gizzard shad*All species in the family Clupeidae, except
Dorosoma petenense and Dorosoma
cepedianum
- (7) European WhitefishAll species in the genus *Leuciscus*
- (8) Mexican banded tetra.....*Astyanax mexicanus*
- (9) PiranhasAll species in the genera *Serrasalmus*,
Serrasalmo, *Pygocentrus*, *Teddyella*,
Rooseveltiella and *Pygopristis*
- (10) South American Parasitic Catfish.....All species in the families *Cetopsidae* and
Trichomycteridae
- (11) White perch.....*Morone americana*
- (12) Freshwater drum*Aplodinotus grunniens*
- (13) Grass carp, except certified triploids
 as authorized by a special permit.....*Ctenopharyngodon idella*
- (14) Pike top minnow*Belonesox belizanus*
- (15) Snakehead.....All species in the genera *Ophicephalus* and
Channa
- (16) Walking catfish.....All species in the genera *Clarias*,
Heteropneustes and *Dinotopterus*
- (17) Tiger fish.....*Hoplias malabaricus*

- (18) SticklebacksAll species in the genera *Apeltes*, *Eucalia*,
Gasterosteus and *Pungitius*
- (19) Tilapia.....All species in the genera *Tilapia* and
Sarotherodon
- (20) Nile perchAll species in the genera *Lates* and *Luciolates*
- (21) Goldeye.....All species in the genus *Hiodon*
- (22) Carp:
- (I) Bighead.....*Hypophthalmichthys nobilis*
- (II) Black (snail).....*Mylopharyngodon piceus*
- (III) Crucian.....*Carassius carassius*
- (IV) Indian.....*Catla catla*, *Cirrhina mrigala* and *Labeo rohita*
- (V) Silver.....*Hypophthalmichthys molitrix*
- (23) Rudd.....*Scardinius erythrophthalmus*
- (24) Northern Pike.....*Esox lucius*
- (25) Asian swamp eel.....*Monopterus albus***

(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 *Thelotornis*
- (5) Boomslang *Dispholidus typus*
- (6) Keelbacks..... All species in the genus *Rhabdophis*
- (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
- (10) Snapping Turtles..... All species in the family Chelydridae

(c) Amphibians:

Common Name	Scientific Classification
(1) Clawed frogs.....	All species in the genus <i>Xenopus</i>
(2) Giant or marine toads	<i>Bufo horribilis</i> , <i>Bufo marinus</i> and <i>Bufo paracnemis</i>

(d) Mammals:

Common Name	Scientific Classification
(1) Wild Dogs or Dhole.....	<i>Cuon alpinus</i>
(2) Raccoon Dog	<i>Nyctereutes procyonoides</i>
(3) Mongooses and Meerkats	All species in the genera <i>Atilax</i> , <i>Cynictis</i> , <i>Helogale</i> , <i>Mungos</i> , <i>Suricate</i> , <i>Ichneumia</i> and <i>Herpestes</i>
(4) Wild European Rabbit	<i>Oryctolagus cuniculus</i>
(5) Multimammate Rat or Mouse.....	All species in the genus <i>Mastomys</i> (= <i>Praomys</i>)
(6) Bats	All species in the order Chiroptera
(7) Nutria	<i>Myocastor coypus</i>
(8) Coyote.....	<i>Canis latrans</i>
(9) Foxes.....	All species in the genera <i>Vulpes</i> , <i>Fennecus</i> , <i>Urocyon</i> , <i>Alopex</i> , <i>Lycalopex</i> and <i>Pseudalopex</i>
(10) Raccoon	<i>Procyon lotor</i>
(11) Skunk	All species in the genera <i>Spilogale</i> , <i>Mephitis</i> and <i>Conepatus</i>

- (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. calamianensis*
- (14) Red deer, elk and wapiti All subspecies of *Cervus elaphus*
- (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 *Odocoileus virginianus*
- (20) Moose *Alces alces*
- (21) Reedbucks..... All species in the genus *Redunca*
- (22) Oryx and Gemsbok..... All species in the genus *Oryx*
- (23) Addax..... *Addax nasomaculatus*
- (24) Blesbok, Topi and Bontebok All species in the genus *Damaliscus*
- (25) Hartebeests..... All species in the genera *Alcelaphus* and
Sigmoceros
- (26) Wildebeest and Gnus All species in the genus *Connochaetes*
- (27) Chamois *Rupicapra rupicapra* and *R. pyrenaica*
- (28) Tahr..... All species in the genus *Hemitragus*

(29) Ibex, Wild Goats, Tur and Markhor

All species in the genus *Capra*, except
domestic goats, *Capra hircus*

(30) Barbary (Aoudad) Sheep *Ammotragus lervia*

(31) Mouflon sheep, Urial, Bighorn and

Argali All species in the genus *Ovis*, except
domestic sheep, *Ovis aries*

(e) Birds:

Common Name

Scientific Classification

(1) Pink Starling or Rosy Pastor..... *Sturnus roseus*

(2) Red-billed Dioch..... *Quelea quelea*

(3) Red-whiskered Bulbul *Pycnonotus jocosus*

(f) Crustaceans:

Common Name

Scientific Classification

(1) Asiatic mitten crab..... *Eriocheir sinensis*

- (2) Crayfish All species in the families Parastacidae, Cambaridae and Astacidae, except *Procambarus clarkii*, *Orconectes causeyi* and indigenous species of the genus *Pacifastacus*

(g) Mollusks:

Common Name	Scientific Classification
(1) African giant snail	<i>Achatina fulica</i>
(2) Zebra and quagga mussels	All species in the genus <i>Dreissena</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 scientific permit for the collection or possession of wildlife or a commercial license for the possession of live wildlife, whichever is applicable, 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 Zoological Association of America, the Association of Zoos and Aquariums or their successors.

(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 commercial 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.

Sec. 3. NAC 503.540 is hereby amended to read as follows:

503.540 ~~{}{}~~

1. Except as otherwise provided in subsection 2, it is unlawful for any person to take crayfish from any of the waters of the State for commercial purposes.

2. A person may obtain a permit to take crayfish commercially from the waters of Lake Tahoe upon application and payment to the Department of an annual permit fee of \$500 if the Department:

(a) Approves the location, time and manner of conducting the operation; and

(b) Determines the operation is not deleterious to fish or other wildlife indigenous or planted or propagated in those waters at public expense.

Sec. 4. NAC 503.586 is hereby amended to read as follows:

503.586 Where size limits apply, fish may ~~[not]~~ be filleted before transport ~~[. Only the gills, guts, and scales may be removed before transport.]~~ *if the remainder of the carcass of each fish filleted is kept in one piece so size and possession limits can be immediately determined.* Where bag limits but not size limits apply, fish may be filleted before transport if the fillets are kept in one piece so bag and possession limits can be *immediately* determined.