



DEPARTMENT OF WILDLIFE

Fisheries Division

6980 Sierra Center Parkway, Ste 120 • Reno, Nevada 89511
(775) 688-1500 Fax (775) 688-1987

MEMORANDUM

September 20, 2019

To: Nevada Board of Wildlife Commissioners, County Advisory Boards to Manage Wildlife, and Interested Publics

From: Jon Sjöberg, Administrator, Fisheries Division

Title: Commission General Regulation 487, Use of Live Bait Fish and Tackle Restrictions, LCB File No. R060-19 - For Possible Action

Description: The Commission will hold a workshop to consider and recommend amendments to Chapter 503 of the Nevada Administrative Code (NAC). These amendments are intended to update and simplify the use of bait and other fishing tackle in NDOW's Western Region and Southern Region.

Presenter: Fisheries Division Administrator Jon Sjöberg

Agenda No:

Summary:

The Department is proposing amendments to NAC Chapter 503 to update and simplify regulations for the use of live bait fish and other tackle restrictions for NDOW's Western and Southern regions. Current language in NAC 503.502 through 503.510 is in places outdated, unnecessarily complex, repetitive or unclear. Regulations for the use of live bait fish on the Colorado River system are inconsistent with regulations in place for the use of live bait fish in Arizona portions of those reciprocal waters. Certain changes are proposed for the use of artificial lures with single barbless hooks on portions of the Truckee River consistent with proposed regulations in CR 20-01. Proposed changes to each section of NAC 503 are described below in detail.

NAC 503.502

Proposed language added as NAC 503.502 (1)(b) will clarify that commercially prepared and preserved baitfish or their parts may be used as bait in any water where bait is permitted. This is unclear in current language. Confusing language in Section (1)(e) is removed.

NAC 503.504

Proposed changes to NAC 503.504 will replace current Sections 2 through 9 with new Sections 2 through 4. Existing language for the use of live bait in specific waters of the Western Region is outdated, unnecessarily complex and does not reflect current fisheries management needs. The proposed new language simplifies and clarifies for anglers the waters where live bait fish may be used, where live bait fish may be taken from and what other types of bait may be used.

Current Section 10 of NAC 503.504 is renumbered as new Section 5. Language in this section was modified and reorganized for clarity and to remove duplication, and new Section 5(b)(6), tackle restrictions for a portion of the Truckee River, has been moved from current Section 9 and modified to reflect consistency with changes in fishing regulations proposed in CR 20-01.

Currently, only artificial lures with single barbless hooks may be used on the Truckee River from 1,000 feet downstream of Derby Dam to the Pyramid Lake Paiute Reservation boundary from February 1 through May 31 each year, to reduce incidental mortality of spawning adult Lahontan cutthroat trout (LCT). The fish passage barrier to LCT at Derby Dam is expected to be removed in 2020 which will allow movement of lake-run LCT above Derby Dam into other areas of the lower Truckee River. This will allow access of those fish to more dispersed habitats and is expected to reduce the potential for the concentration of LCT below the Dam during the spawning period, and NDOW is proposing removal of the current zero harvest seasonal restriction on all trout below Derby Dam in CR 20-01. The proposed Section 5(b)(6) requiring the use of artificial lures with single barbless hooks in the Truckee River, from E Mustang Road bridge (I-80 Exit 23) downstream to the Pyramid Lake Paiute Reservation boundary will provide adequate protection from injury or overharvest of lake-run LCT while allowing removal of the current seasonal harvest restriction and simplifying the regulations in this portion of the Truckee River for anglers.

NAC 503.507

Proposed changes to NAC 503.507 modify the list of live bait fish species allowable for use in Lake Mead, Lake Mohave and the Colorado River to clarify which species may be transported and sold by live bait dealers and which species may be taken only for personal use on the waters where used. The red shiner, which is a highly invasive nonnative minnow, has been removed as an allowable bait fish species on waters of the Colorado River system, and other minor language changes have been proposed for clarification in Section 2(d). Proposed changes in allowable bait fish species and use will make Nevada regulations consistent with Arizona regulations on these reciprocal waters.

NAC 503.508

Current language in NAC 503.508 duplicates proposed language in NAC 503.507 as presented for Commission adoption. The Department recommends removal of NAC 503.508 as it is repetitive and not needed under the proposed changes to NAC Chapter 503.

NAC 503.510

Proposed changes in NAC 503.510 are intended to make language in this regulation consistent with language in NAC 503.502 through NAC 503.507, and to correct certain species names to reflect current nomenclature.

Recommendation:

The Department recommends Commission adoption of the proposed amendments to NAC Chapter 503 after consideration of public and Commission input.

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

LCB File No. XXX-XX

Date

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

AUTHORITY: §1, NRS 501.105, 501.181, 503.300 and 503.310.

A REGULATION relating to Wildlife; regarding the use of live bait fish and special tackle restrictions for the lower Truckee River Basin; and providing other matters properly relating thereto.

Section 1. NAC 503.502 through 503.510 is hereby amended to read as follows:

NAC 503.502 Bait: General authority to and restrictions on capture, transport and use. (NRS 501.105, 501.181, 503.300, 503.310)

1. A person who has a fishing license or short-term permit to fish, or who is not required to obtain such a license or permit pursuant to NRS 502.010 and NAC 502.285, may capture, transport and use bait for fishing or personal consumption except that:

(a) The use of any game fish or protected species of fish for bait is prohibited.

(b) *Commercially prepared and preserved baitfish or their parts may be used as bait in any water where bait is permitted.*

(c) Aquatic bait, other than salamanders or saltwater mudsuckers, may be used only in the water from which it is taken.

(d) Aquatic life may be imported into this State only with the prior approval of the Department.

(e) Aquatic bait and live bait fish may be transported ~~from one river basin to another or~~ from one area of this State to another only as provided in the appropriate regional regulation for the use of live bait fish.

2. A person who possesses bait in accordance with the provisions of this section shall not sell, barter or trade that bait.

3. Any bait obtained from a dealer in live bait fish who is licensed in this State must be accompanied by a currently dated receipt issued by that dealer.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 1-1-81; A 12-15-81; 12-3-84, eff. 1-1-85; 3-13-97; R109-02, 1-21-2003; R094-03, 10-30-2003)

NAC 503.504 Western Region: Applicable waters; restrictions on bait and lures. (NRS 501.105, 501.181, 503.300, 503.310)

1. The Western Region consists of all waters within Carson City and Churchill, Douglas, Humboldt, Lyon, Mineral, Storey, Pershing and Washoe Counties.

2. *Live bait fish may be used only in the water from which it is taken.*

3. *Other forms of aquatic and animal life, including, but not limited to, grasshopper, earthworm, and crayfish and preserved salmon eggs, may be used as bait.*

4. *In the Western Region, live bait fish may be used only in the following waters:*

(a) *In the Carson River Basin.*

(b) *In the Humboldt River Basin, in the Humboldt River from Stall Diversion Dam (near Golconda, Humboldt County) downstream, including in Rye Patch Reservoir, the Pitt-Taylor and Chimney reservoirs.*

(c) *In Lake Tahoe located in Carson City and Douglas and Washoe Counties.*

(d) *Except as otherwise provided in subsection 5, in the Truckee River Basin.*

(e) *In the waters of the Walker River, from the bridge of the Southern Pacific Railroad near Wabuska downstream to and including Walker Lake.*

~~2. In the area of the Carson River Basin from Quilici Dam (12 miles below Dayton) above the Lahontan Reservoir downstream to and including Lahontan Reservoir, the Carson River below Lahontan Dam and all of the waters within Lahontan Valley, Churchill County:~~

~~—(a) Only Lahontan redbreast (shiner), speckled dace, Tahoe sucker, mountain sucker, mosquitofish, carp, tui chub, Sacramento blackfish, fathead minnows and Piute sculpin may be used as live bait fish.~~

~~—(b) Fish used as live bait may be taken only from the Carson or Truckee River Basin in Carson City or Churchill, Douglas, Lyon, Storey or Washoe County or purchased only from a dealer who is licensed in this State and authorized to sell live bait fish for use in the Carson River Basin.~~

~~—3. In the area of the Carson River Basin from the boundary between California and Nevada to Quilici Dam:~~

~~— (a) Only Lahontan redbreast (shiner), speckled dace, Tahoe sucker, mountain sucker and mosquitofish may be used as live bait fish.~~

~~— (b) Fish used as live bait may be taken only from the Carson River above Quilici Dam or purchased only from a dealer who is licensed in this State and authorized to sell live bait fish for use in the Carson River Basin.~~

~~— 4. In the Humboldt River Basin, from Stahl Diversion Dam (near Golconda, Humboldt County) to and including Rye Patch Reservoir, the Pitt Taylor and Chimney Reservoirs, the Humboldt River below Rye Patch Dam and all waters of the Humboldt River in Lovelock Valley, Pershing and Churchill Counties:~~

~~— (a) Only Lahontan redbreast (shiner), tui chub, speckled dace, Tahoe sucker, mountain sucker, Sacramento blackfish, fathead minnows and carp may be used as live bait fish.~~

~~— (b) Fish used as live bait may only be taken from the Humboldt River and its tributaries or be purchased from a dealer who is licensed in this State and authorized to sell live bait fish for use in the Humboldt River Basin.~~

~~4. In the waters of Lake Tahoe and its tributaries located in Carson City and Douglas and Washoe Counties:~~

~~— (a) Only Lahontan redbreast (shiner), tui chub, Tahoe sucker, mountain sucker, Piute sculpin and speckled dace may be used as live bait fish.~~

~~— (b) Fish used as live bait may be taken only from, and must be native to, Lake Tahoe and its tributaries.~~

~~— 6. In the waters of the Main Walker River from the bridge of the Southern Pacific Railroad near Wabuska downstream to and including Weber Reservoir on the Walker River Indian Reservation and the Lower Walker River down to and including Walker Lake:~~

~~— (a) Only Lahontan redbreast (shiner), tui chub, speckled dace, Tahoe sucker, mountain sucker, carp and mosquitofish may be used as live bait fish.~~

~~— (b) Fish used as live bait may only be taken from the Walker River Basin in Lyon or Mineral County or be purchased from a dealer who is licensed in this State and authorized to sell live bait fish for use in the Walker River Basin.~~

~~— 7. The use of fish as bait, whether alive or dead, or parts thereof, is prohibited in the ponds and sloughs of the Mason Valley Wildlife Management Area and the Fort Churchill Cooling Ponds.~~

~~— 8. Except as otherwise provided in subsection 9, in the Truckee River Basin, which includes the Truckee River and its diversion ditches and tributaries from the California state line to, but excluding~~

~~Pyramid Lake, and including Paradise Ponds, Virginia Lake, Washoe Lake and the Fernley Wildlife Management Area:~~

~~—(a) Only Lahontan redbside (shiner), speckled dace, Tahoe sucker, mountain sucker, Piute sculpin, mosquitofish, tui chub, fathead minnows and carp may be used as live bait fish.~~

~~—(b) Fish used as live bait may only be taken from the Truckee River or its tributaries or be purchased from a dealer who is licensed in this State and authorized to sell live bait fish for use in the Truckee River Basin.~~

~~—9. In the waters of the Truckee River, from 1000 feet below Derby Dam downstream to the Pyramid Lake Paiute Reservation boundary, only artificial lures with single barbless hooks may be used from February 1 through May 31. Only one single barbless hook may be attached to each hook eye or ring of the lure.~~

5. The following provisions apply to all other waters in the Western Region:

(a) The capture, possession while fishing or the use of fish as bait, whether dead or alive, or parts thereof, ~~other than preserved salmon eggs~~, is prohibited.

(b) Only artificial lures with single barbless hooks may be used in:

(1) Catnip Reservoir,

(2) Hobart Reservoir,

(3) Knott Creek Reservoir, including inlet and outlet streams,

(4) Marlette Lake, including tributaries and outlet streams,

(5) ~~and that portion of the~~ East Walker River ~~which is~~ from one-quarter of a mile above the confluence of the East Walker River and Sweetwater Creek downstream to one-half of a mile below the confluence of the East Walker River and Red Wash Creek.

(6) *Truckee River, from E Mustang Road bridge (I-80 Exit 23) downstream to the Pyramid Lake Paiute Reservation boundary.*

~~Only one single barbless hook may be attached to each hook eye or ring of the lure.~~

(c) Only artificial lures may be used in Hinkson Slough on the Mason Valley Wildlife Management Area.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 1-1-81; A 12-15-81; 12-1-82; 1-2-86; 12-11-87; 5-9-88; 12-18-89; 12-13-91; 11-18-93; 11-23-94; 11-22-95, eff. 11-25-95; 11-14-97, eff. 3-1-98; R104-01, 12-6-2001; R092-05, 10-31-2005; R056-13, 12-23-2013; R140-13, 3-28-2014; R094-16, 12-21-2016)

NAC 503.506 Eastern Region: Applicable waters; restrictions on bait and lures. (NRS 501.105, 501.181, 503.300, 503.310)

1. The Eastern Region consists of all waters in Elko, Eureka, Lander and White Pine Counties.
2. Within this region:
 - (a) The possession while fishing or use of fish as bait, whether dead or alive, or parts thereof, except preserved salmon eggs, is prohibited.
 - (b) Aquatic bait may be used only in the water from which it is taken.
3. Only artificial lures may be used in the Tonkin Springs Reservoir and the collection ditch of the Ruby Lake National Wildlife Refuge.
4. Only artificial lures with single barbless hooks may be used in the Smith Creek Reservoir and on the south fork of the Humboldt River from the access causeway for the Lucky Nugget subdivision upstream to Lee. Only one single barbless hook may be attached to each hook eye or ring of the lure.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 1-1-81; A 12-15-81; 12-1-82; 1-2-86; 12-11-87; 1-31-90, eff. 3-1-90; 12-13-91; 11-23-94; 11-22-95, eff. 3-1-96; R198-97, 3-2-98; R104-01, 12-6-2001; R083-09, 10-27-2009)

NAC 503.507 Southern Region: Applicable waters; restrictions on bait and lures. (NRS 501.105, 501.181, 503.290, 503.300, 503.310)

1. The Southern Region consists of all waters in Clark, Esmeralda, Lincoln and Nye Counties.
2. In the waters of Lake Mead, Lake Mohave and the Colorado River located in Clark County:
 - ~~(a) Only golden shiner, fathead minnow, mosquitofish, red shiner, gizzard shad, threadfin shad, carp and goldfish may be used as live bait fish.~~
 - (a) Only the following species of live fresh-water fish may be lawfully raised, transported, sold, offered for sale, or imported for use as live bait:*
 - (1) Golden shiner.*
 - (2) Fathead minnow.*
 - (3) Threadfin shad.*
 - (4) Goldfish.*
 - (b) Carp, gizzard shad, and mosquitofish may be used as bait but may be taken from and used only in the waters of the Colorado River.*

(bc) Other forms of aquatic and animal life, including, but not limited to, the waterdog, grasshopper, earthworm and crayfish, may be used as bait.

(ed) A person holding a *valid* fishing license may purchase fish authorized for use as bait *in Section 2(a)* from a dealer in bait licensed in Arizona, California or Nevada or may, for ~~his or her~~ *their* own use, take fish authorized for use as bait by:

(1) A dipnet;

(2) A cast net with a radius not exceeding 4 feet measured from the horn to the leadline;

(3) A seine not exceeding 10 feet in length and 4 feet in width; or

(4) A trap for minnows not exceeding 12 inches in depth, 12 inches in width or 24 inches in length.

3. Only artificial lures may be used in the Dacey Reservoir.

4. In all other waters of the Southern Region, the capture, possession while fishing or use of fish as bait, whether dead or alive, or parts thereof, other than preserved salmon eggs is prohibited.

(Added to NAC by Bd. of Wildlife Comm'rs, eff. 1-1-81; A 12-15-81; 4-27-84, eff. 5-25-84; 1-2-86; 11-14-97, eff. 3-1-98; R104-01, 12-6-2001; R092-05, 10-31-2005; R083-09, 10-27-2009; R137-09, 1-28-2010; R149-12, 12-20-2012)

~~NAC 503.508 Use of bait in particular areas: Colorado River, Lake Mead and Lake Mohave. (NRS 501.105, 501.181, 503.300, 503.310) In the waters of the Colorado River, Lake Mead and Lake Mohave:~~

~~1. In addition to fish used as live bait, forms of animal life such as waterdogs, grasshoppers, earthworms and crayfish may be used for bait.~~

~~2. Only the following species of live fresh water fish may be lawfully raised, possessed, transported, sold, offered for sale, imported, used or taken from the waters of the Colorado River for use as live bait:~~

~~(a) Golden shiner.~~

~~(b) Fathead minnow.~~

~~(c) Mosquitofish.~~

~~(d) Red shiner.~~

~~(e) Threadfin shad.~~

~~(f) Carp.~~

~~(g) Goldfish.~~

~~—(h) Gizzard shad.~~

~~—3. A fisherman with a valid license may possess or use as live bait only the species of fish named in subsection 2. These species of fish may be purchased only from a dealer in bait licensed in Arizona, California or Nevada or may be taken for personal use only with a:~~

~~—(a) Dipnet;~~

~~—(b) Cast net with a radius not exceeding 4 feet measured from the horn to the headline;~~

~~—(c) Seine not exceeding 10 feet in length and 4 feet in width; or~~

~~—(d) Trap for minnows not exceeding 12 inches in depth, 12 inches in width and 24 inches in length.~~

~~—(Added to NAC by Bd. of Wildlife Comm'rs, eff. 1-1-81; A 12-14-81; 4-27-84, eff. 5-25-84; 1-2-86; R137-09, 1-28-2010; R149-12, 12-20-2012)~~

NAC 503.510 Aquatic bait and live bait: Capture, sale, holding and transportation; reference work for naming of species. (NRS 501.105, 501.181, 503.310)

1. Aquatic bait and the following species of live bait may be captured, offered for sale, held or transported by a person permitted to sell live bait, subject to **NAC 503.500 through NAC 503.508** **and** any special conditions contained in the annual permit issued by the Department ~~or in subsection 2:~~

Authorized Species by Region

Species	Western Region	Eastern Region	Southern Region
Lahontan redbreast (<i>Richardsonius egregius</i>)	X	N	
Red shiner (<i>Notropis lutrensis</i>)	-	N	X
Tui chub (<i>Gila Siphateles bicolor</i>)	X	O	
Speckled dace (<i>Rhinichthys Rhinichthys osculus</i>)	X	N	
Mosquitofish (<i>Gambusia</i> ssp.)	X	E	
Carp (<i>Cyprinus carpio</i>)	X		X
Goldfish (<i>Carassius auratus</i>)		P	X
Golden shiner (<i>Notemigonus crysoleucas</i>)		E	X

Fathead minnow (<i>Pimephales promelas</i>)	X	R	X
Threadfin shad (<i>Dorosoma petenense</i>)		M	X
Mountain sucker		I	
(<i>Catostomus platyrhynchus</i>)	X	T	
Tahoe sucker (<i>Catostomus tahoensis</i>)	X	T	
Longjaw mudsucker (<i>Gillichthys mirabilis</i>)		E	X
Salamander (Waterdogs) (<i>Ambystoma</i>)		D	X
Paiute Sculpin (<i>Cottus beldingi</i>)	X		

~~2. In the Western Region, the capture of any fish used as live bait for sale from the Carson River drainage below Quilici Dam is prohibited. The Quilici Dam is located near Dayton, Nevada.~~

3. The reference work from which the species listed in subsection 1 were named is special publication 12 of the American Fisheries Society, *A List of Common and Scientific Names of Fishes from the United States and Canada*, 4th edition, 1980.

[Bd. of Fish & Game Comm'rs, No. 7 § 30.12, eff. 1-1-75; A 9-20-75; 1-1-77; 1-1-78] — (NAC A by Bd. of Wildlife Comm'rs, 1-1-81; 4-27-84, eff. 5-25-84; 1-2-86; R104-01, 12-6-2001; R093-03, 10-30-2003)