

**NEVADA DEPARTMENT OF WILDLIFE  
NEVADA BOARD OF WILDLIFE COMMISSIONERS  
NOTICE OF INTENT TO ACT UPON A REGULATION**

**Notice of Hearing for the Adoption of Regulations of the  
Nevada Board of Wildlife Commissioners**

**LCB File No. R128-23 – Commission General Regulation 511**

The Nevada Board of Wildlife Commissioners will hold a public hearing at 8:30 a.m. on March 09, 2024, at the Clark County Government Center, 500 S. Grand Central Parkway, Las Vegas, NV 89155. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations that pertain to Chapter 278 of the Nevada Administrative Code. A Zoom link is provided below for those individuals that are unable to attend in person.

*If you wish to make public comment, please use this link for Saturday, March 9, 2024:*  
<https://us02web.zoom.us/j/83888234750?pwd=YkxrOGg1UU5KTUdDZkNwbXBjZStZQT09>  
Passcode: 859244

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. **The need for and the purpose of the proposed regulation or amendment:**  
Current Wildlife Management Area (WMA) designations and restrictions require updating in Nevada Administrative Code.
2. **Either the terms or the substance of the regulations to be adopted, amended or repealed, or a description of the subjects and issues involved:**  
This regulation would add two properties into the list of current WMAs. The regulation also updates provisions regarding campfires, camping, the use of hunting blinds, and trapping on WMAs.
3. **The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:**
  - (a) **Both adverse and beneficial effects on businesses; and**  
The regulation will not have any significant adverse or beneficial economic effects on businesses.
  - (b) **Both immediate and long-term effects on businesses:**  
There will be no immediate or long-term economic effects from the proposed regulation on small businesses because it does not regulate the operation of any small business.
  - (c) **Both adverse and beneficial effects on the public; and**  
This regulation does not have an anticipated beneficial or adverse economic effect on the public.

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, will 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 following Nevada Department of Wildlife offices:

1100 Valley Road; Reno, Nevada 89512 (775) 688-1506  
380 W. B Street; Fallon, Nevada 89406 (775) 423-3171  
60 Youth Center Road; Elko, Nevada 89801 (775) 777-2300  
3373 Pepper Lane; Las Vegas, Nevada 89120 (702) 486-5127

These regulations will also be available at the following websites:

<https://www.leg.state.nv.us/App/Notice/A/>

<https://notice.nv.gov/>

<http://www.leg.state.nv.us/register/>

<https://nvboardofwildlife.org/>

A copy of all materials relating to the proposed regulation may be obtained at the hearing or by contacting the Director's Office at the Nevada Department of Wildlife, 6980 Sierra Center Parkway, Suite 120; Reno, Nevada 89511 or (775) 688-1597. A reasonable fee may be charged for copies if it is deemed necessary.

February 5, 2024

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

**LCB File No. R128-23**

January 31, 2024

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

AUTHORITY: §§ 1-3 and 5-8, NRS 501.105, 501.181, 504.140 and 504.143; § 4, NRS 501.105, 501.181, 503.150, 504.140 and 504.143.

A REGULATION relating to wildlife; establishing the Mountain Unit and Meadow Unit within the Steptoe Valley Wildlife Management Area; prohibiting certain acts within the Pole Canyon Cooperative Wildlife Management Area; revising restrictions on the use of certain weapons and ammunition in certain wildlife management areas; revising provisions governing campfires, camping and trapping in certain wildlife management areas; revising restrictions on the construction and use of blinds in wildlife management areas; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires the Board of Wildlife Commissioners to establish policies and adopt regulations necessary to: (1) preserve, protect, manage and restore wildlife and its habitat; and (2) carry out the provisions of title 45 of NRS governing wildlife. (NRS 501.105, 501.181) Existing law also authorizes the Department of Wildlife, with the approval of the Commission, to enter into agreements with landowners to establish wildlife management areas and to enforce regulations necessary for the purpose of providing greater areas for the public to hunt or fish on private lands. (NRS 504.140) Existing law authorizes the Commission to prescribe by regulation, among other things, the manner and means of taking wildlife in state-owned wildlife management areas created and maintained by the Commission. (NRS 504.143)

**Section 2** of this regulation provides that the Steptoe Valley Wildlife Management Area is comprised of the Meadow Unit and the Mountain Unit. **Section 2** provides that the: (1) Meadow Unit is comprised of that portion of the Steptoe Valley Wildlife Management Area that is located within Unit 111 or Unit 222 and is west of the boundary line of Cave Lake State Park; and (2) Mountain Unit is comprised of the remaining portion of the Steptoe Valley Wildlife Management Area.

**Section 3** of this regulation: (1) establishes the Pole Canyon Cooperative Wildlife Management Area in cooperation with landowners in Pole Canyon; and (2) prohibits a person from engaging in certain activities within the Pole Canyon Cooperative Wildlife Management Area. **Section 3** also authorizes a person to operate a motor vehicle or bicycle, including a motor vehicle or bicycle that is electric or battery electric, to access the Pole Canyon Cooperative Wildlife Management Area.

Existing regulations prohibit: (1) the discharge of a rifle or pistol in certain wildlife management areas; (2) with certain exceptions, the use of shotguns capable of holding more than three shells on all wildlife management areas owned or managed by this State; and (3) the use or possession of shells for a shotgun containing shot that is toxic or larger than standard-size T on certain wildlife management areas. Existing regulations also authorize a person to hunt deer on the Mason Valley and Wayne E. Kirch Wildlife Management Areas using: (1) shotguns and rifled shotgun slugs or shotgun rounds with sabots that contain a single expanding projectile; and (2) bows and arrows. (NAC 504.135) **Section 4** of this regulation: (1) additionally prohibits the discharge of a rifle or pistol in the Argenta Wildlife Management Area; (2) eliminates the prohibition on the use of shotguns capable of holding more than three shells on all wildlife management areas owned or managed by this State; and (3) additionally prohibits the use or possession of shells for a shotgun containing shot that is toxic or larger than standard-size T on the Carson Lake and Argenta Wildlife Management Areas and the Meadow Unit of the Steptoe Valley Wildlife Management Area. **Section 4** also authorizes a person to hunt big game mammals on the Mason Valley, Wayne E. Kirch and Argenta Wildlife Management Areas using: (1) shotguns and rifled shotgun slugs or shotgun rounds with sabots that contain a single expanding projectile; (2) shotguns containing shot that is toxic or larger than standard-size T; and (3) bows and arrows.

Existing regulations: (1) prohibit campfires and bonfires in wildlife management areas; and (2) exempt certain wildlife management areas from such a prohibition by permitting campfires in certain wildlife management areas. (NAC 504.140) **Section 5** of this regulation expands such exempt wildlife management areas to include the Mountain Unit within the Steptoe Valley Wildlife Management Area. **Section 5** also provides that the exception is subject to any fire restriction order issued by this State or any federal agency.

Existing regulations: (1) prohibit camping in wildlife management areas; and (2) exempt certain wildlife management areas from such a prohibition. (NAC 504.145) **Section 6** of this regulation expands such exempt wildlife management areas to include, in the Steptoe Valley Wildlife Management Area: (1) any area within the Mountain Unit that is more than 0.5 mile from Success Summit Road; and (2) any site designated for camping that is 0.5 mile or less from Success Summit Road.

Existing regulations authorize a person to construct a hunting blind on any wildlife management area if, among other things, the blind is: (1) temporary and portable; and (2) based on the wildlife management area, constructed of certain material. Existing regulations also: (1) provide that a supervisor of a wildlife management area must approve the plans for a blind before a group of persons may construct the blind; (2) provide that sunken blinds, and barrels and boxes used as sunken blinds, must be covered when not in use; and (3) prohibit the use of a sink box. (NAC 504.160) **Section 7** of this regulation eliminates such restrictions on the use of blinds and instead provides that a blind must be: (1) temporary and constructed of material found on the wildlife management area; or (2) portable. **Section 7** also provides that a portable blind that is not used to hunt big game mammals must be removed daily from the wildlife management area.

Existing regulations: (1) prohibit trapping on wildlife management areas; and (2) create an exception to such prohibition by authorizing a person who has a permit to trap to do so on certain wildlife management areas. (NAC 504.170) **Section 8** of this regulation expands such exempt wildlife management areas to include the Bruneau River and Carson Lake Wildlife Management Areas. **Section 8** also prohibits trapping in any area that is 0.5 mile or less from any

site designated for camping within the Mountain Unit of the Steptoe Valley Wildlife Management Area.

**Section 1.** Chapter 504 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

**Sec. 2.** *The Steptoe Valley Wildlife Management Area is comprised of the Meadow Unit and the Mountain Unit. The:*

*1. Meadow Unit is comprised of that portion of the Steptoe Valley Wildlife Management Area that is located within Unit 111 or Unit 222, as designated in NAC 504.210, and is west of the boundary line of Cave Lake State Park; and*

*2. Mountain Unit is comprised of the remaining portion of the Steptoe Valley Wildlife Management Area that is not within the Meadow Unit.*

**Sec. 3.** *1. Pole Canyon is a wildlife management area established in cooperation with landowners in Pole Canyon. The following activities are prohibited on the Pole Canyon Cooperative Wildlife Management Area:*

*(a) Overnight camping, including, without limitation, overnight camping in areas designated for parking;*

*(b) Except as otherwise provided in subsection 2, operating a:*

*(1) Motor vehicle, including, without limitation, an electric or battery electric vehicle; or*

*(2) Bicycle, including, without limitation, a bicycle that is electric or battery electric;*

*(c) Riding an animal other than a horse or mule;*

*(d) Providing a guide service pursuant to NRS 504.390;*

*(e) Hunting any predator;*

*(f) Trapping; and*

*(g) Building or having a campfire.*

2. *A person may use a motor vehicle or bicycle, including, without limitation, an electric or battery electric motor vehicle or bicycle, in the parking area of the access point at the Franklin River or the 1,340 feet of dirt road comprising the access point in the Horse Canyon public right-of-way on Horse Creek Road to access the Pole Canyon Cooperative Wildlife Management Area.*

3. *As used in this section, “predator” means any fur-bearing mammal, mountain lion or coyote.*

Sec. 4. NAC 504.135 is hereby amended to read as follows:

504.135 1. Except as otherwise provided in subsection ~~6,~~ 5, the discharging of a rifle or pistol is prohibited on the following wildlife management areas:

- (a) Overton in Clark County.
- (b) Key Pittman in Lincoln County.
- (c) Wayne E. Kirch in Nye County.
- (d) Scripps in Washoe County.
- (e) Mason Valley in Lyon County.
- (f) Argenta in Lander County.*

2. ~~{Deer}~~ *A person may ~~{be hunted}~~ hunt big game mammals* on the Mason Valley , ~~{and}~~ Wayne E. Kirch *and Argenta* Wildlife Management Areas ~~{only by persons}~~ using:

- (a) Shotguns and rifled shotgun slugs or shotgun rounds with sabots that contain a single expanding projectile; ~~{or}~~
- (b) Shotguns containing shot that is toxic or larger than standard-size T; or*
- (c) Bows and arrows.*

↪ A shotgun that is used to hunt ~~{deer}~~ *big game mammals* pursuant to this subsection may be equipped with a smoothbore barrel or a barrel that is partially or fully rifled.

3. ~~{The use of shotguns capable of holding more than three shells is prohibited on all wildlife management areas owned or managed by this State unless the shotgun is plugged with a one piece filler, incapable of removal without disassembling the gun, so that the total capacity of the shotgun does not exceed three shells.~~

~~—4.—The}~~ *Except as otherwise provided in subsection 2, the* use or possession of shells for a shotgun containing shot that is toxic or larger than standard-size T is prohibited on the following wildlife management areas:

- (a) Overton in Clark County.
- (b) Key Pittman in Lincoln County.
- (c) Wayne E. Kirch in Nye County.
- (d) Scripps in Washoe County.
- (e) Mason Valley in Lyon County.
- (f) Fernley in Lyon County.
- (g) Alkali Lake in Lyon County.
- (h) Humboldt in Churchill and Pershing Counties.
- (i) Steptoe Valley *within the Meadow Unit* in White Pine County.
- (j) Franklin Lake in Elko County.
- (k) Carson Lake in Churchill County.*
- (l) Argenta in Lander County.*

~~{5.}~~ 4. The use or possession of shotgun rounds with sabots that contain other than rifled slugs or a single expanding projectile is prohibited on all wildlife management areas owned or managed by this State.

~~{6.}~~ 5. The provisions of subsection 1 do not apply to persons authorized by the Department to use rifles and pistols for the control of predatory animals and rodents.

~~{7.}~~ 6. For the purposes of this section, all shot shall be deemed toxic unless it has been approved as nontoxic by the United States Fish and Wildlife Service pursuant to 50 C.F.R. § 20.134.

Sec. 5. NAC 504.140 is hereby amended to read as follows:

504.140 1. Except as otherwise provided in subsection 2, campfires and bonfires are prohibited in wildlife management areas.

2. ~~{Campfires}~~ *Subject to any fire restriction order issued by this State or any federal agency, campfires* are permitted in the:

(a) Wayne E. Kirch Wildlife Management Area within the Dave Deacon Campground.

(b) Humboldt Wildlife Management Area in those sites designated for camping.

(c) Fernley Wildlife Management Area.

(d) Mason Valley Wildlife Management Area in those sites designated for camping.

(e) Overton Wildlife Management Area within the rest and trails area.

(f) Bruneau Wildlife Management Area.

*(g) Mountain Unit within the Steptoe Valley Wildlife Management Area.*

Sec. 6. NAC 504.145 is hereby amended to read as follows:

504.145 1. Except as otherwise provided in subsection 2, camping is prohibited in wildlife management areas.



2. Camping is permitted in the:
  - (a) Mason Valley Wildlife Management Area in those sites designated for camping.
  - (b) Wayne E. Kirch Wildlife Management Area within the Dave Deacon Campground.
  - (c) Humboldt Wildlife Management Area in those sites designated for camping.
  - (d) Fernley Wildlife Management Area.
  - (e) Overton Wildlife Management Area within the rest and trails area.
  - (f) Bruneau Wildlife Management Area, except that camping is not permitted in any building or other structure located within that wildlife management area.

*(g) Steptoe Valley Wildlife Management Area in:*

*(1) Any area within the Mountain Unit that is more than 0.5 mile from Success Summit Road; and*

*(2) Any site designated for camping that is 0.5 mile or less from Success Summit Road.*

3. Camping facilities, including, without limitation, house trailers, must not be stored, parked or maintained in a wildlife management area for more than 8 days, or left in a wildlife management area for occasional occupancy by a person or group of persons associated with the facility.

4. The erection, fabrication or maintenance of a permanent dwelling or building in a wildlife management area is prohibited.

5. A person camping in a site, campground or area within a wildlife management area designated for camping pursuant to subsection 2 shall not operate a television, radio or any other device, including, without limitation, a generator, between the hours of 10 p.m. and 5 a.m. if the device produces sound that is audible beyond the campsite in which it is operated.

**Sec. 7.** NAC 504.160 is hereby amended to read as follows:

504.160 1. Except as otherwise provided in subsection ~~{6.}~~ 4, a person may construct a ~~{hunting}~~ *single* blind on any wildlife management area if the Department has no obligation to protect a privately constructed blind or to arbitrate the use or priority of use of such a blind. A blind ~~{to be constructed}~~ must ~~{:}~~ *be*:

(a) ~~{Be temporary}~~ *Temporary* and ~~{portable;}~~ *constructed of material found on the wildlife management area; or*

(b) ~~{Except as otherwise provided in paragraph (c), be constructed of lumber, screen, fabric, synthetic material or native vegetation; and~~

~~—(c) In the Kirch, Steptoe Valley and Mason Valley Wildlife Management Areas, be constructed of native vegetation, removable fabric, or a synthetic material that is of a temporary nature.~~

~~—2.— A group of persons may construct a blind only after the supervisor of the wildlife management area has approved the plans for the blind.~~

~~—3.— Sunken blinds, and barrels and boxes used as sunken blinds, must be covered when not in use to prevent the entrapment of animals.~~

~~—4.— The use of a sink box is prohibited.~~

~~—5.—~~ *Portable.*

2. A blind may not be locked or reserved for the use of a particular person or group of persons.

3. *A portable blind that is not used to hunt big game mammals must be removed daily from the wildlife management area.*

~~{6.}~~ 4. The Department may:

(a) Prohibit the construction of a ~~hunting~~ blind if it is detrimental to a wildlife management area or portion thereof.

(b) Designate a ~~hunting~~ blind on a wildlife management area as intended for the use of persons with physical disabilities pursuant to the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 to 12213, inclusive, and the regulations adopted pursuant thereto.

~~7.1~~ 5. A person may use decoys on a wildlife management area so long as the decoys are not left set up in the field between the hours of 9 p.m. and 3 a.m.

**Sec. 8.** NAC 504.170 is hereby amended to read as follows:

504.170 1. Except as otherwise provided in subsection 2, a person shall not trap on a wildlife management area.

2. ~~Persons~~ *Except as otherwise provided in subsection 4, persons* having permits to do so may trap on the Overton, Key Pittman, Wayne E. Kirch, Humboldt, Fernley, Scripps, Mason Valley, Steptoe Valley, Franklin Lake, *Bruneau River, Carson Lake* and Alkali Lake Wildlife Management Areas.

3. Permits to trap on wildlife management areas will be issued on a first-come, first-served basis and may contain designations of specific trapping areas, dates or other restrictions to ensure compatibility with other public activities.

4. *A person shall not trap in any area that is 0.5 mile or less from any site designated for camping within the Mountain Unit of the Steptoe Valley Wildlife Management Area.*

**STATE OF NEVADA  
NEVADA BOARD OF WILDLIFE COMMISSIONERS  
NEVADA DEPARTMENT OF WILDLIFE  
SMALL BUSINESS IMPACT STATEMENT PURSUANT TO NRS233B**

**Commission General Regulation 511 - WMA Regulations**

The purpose of this form is to provide a framework pursuant to NRS 233B.0608 to determine whether a small business impact statement is required for submittal of a proposed regulation before the Nevada Board of Wildlife Commissioners. Note: Small business is defined as a "business conducted for profit which employs fewer than 150 full-time or part-time employees" (NRS233B.0382).

1. Describe the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary:

ANSWER: Comment was not solicited from small businesses. This proposed regulation is centered around opening a portion of private lands to recreation that otherwise would not have been open to the public and thus no negative impact to small business would be anticipated. If anything small business may be bolstered by increased recreation and subsequent economic boost in the local economy.

2. Describe the manner in which the analysis was conducted:

ANSWER: Agency personnel concluded that there would be no small businesses impacted, this no need for an analysis to be conducted.

3. Describe the estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

- a.) Both adverse and beneficial effects:

ANSWER: No net impacts are anticipated due to this regulation which didn't already exist prior to this regulation. As mentioned above, small businesses could see a small benefit of the area not being open to the public and a slight bump in recreation use which bolsters local economies through the services which they provide such as sporting goods and gas stations.

- b.) Both direct and indirect effects:

ANSWER: No indirect or direct effects from the proposed regulation are anticipated.

4. Describe the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods:

ANSWER:

There will be no impact from the proposed regulation on small businesses, therefore no methods were considered or taken by the agency.

5. Describe the estimated cost to the agency for enforcement of the proposed regulation:

**ANSWER:** Enforcement of this regulation largely falls within current operations with little to no increased operational cost for enforcement. Game Wardens patrolling the area on routine patrols would enforce the proposed regulations.

6. If the proposed 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:

**ANSWER:** The proposed regulation does not provide new or increased fees.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary:

**ANSWER:** This regulation does not include provisions that duplicate or are more stringent than, federal, state or local standards.

8. The reasons for the conclusions of the agency regarding the impact of a regulation on small businesses:

**ANSWER:** Due to the nature of the regulation, we concluded that the changes are associated with a program administered by the Nevada Department of Wildlife and do not impact small businesses.

I hereby certify that to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

  
\_\_\_\_\_  
Alan Jenne, Director  
Nevada Department of Wildlife