

**APPROVED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS**

LCB File No. R060-19

Filed December 30, 2019

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

AUTHORITY: §§1-4 and 6, NRS 501.105, 501.181, 503.300 and 503.310; §5, NRS 501.105, 501.181 and 503.310.

A REGULATION relating to fishing; adopting provisions governing the use of certain fish or parts of fish as bait; deleting provisions which authorize the transportation of aquatic bait and live bait fish from one river basin to another; revising the circumstances under which live bait fish and other forms of aquatic and animal life may be used as bait in the Western Region; expanding the area in which only artificial lures with single barbless hooks may be used in the Western Region; prohibiting the possession or use of certain fish as bait in the Eastern Region; revising the circumstances under which certain species of live freshwater fish may be lawfully raised, transported, sold, offered for sale or imported for use as live bait in the waters of Lake Mead, Lake Mohave and the Colorado River located in Clark County, Nevada; revising provisions governing the capturing, offering for sale, holding or transportation of aquatic bait and certain species of live bait by a person who is permitted to sell live bait; deleting provisions which prohibit the capture of any fish used as live bait for sale from a certain portion of the Carson River drainage; repealing certain provisions governing the use of live bait and other forms of animal life in the waters of the Colorado River, Lake Mead and Lake Mohave; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Board of Wildlife Commissioners to adopt regulations necessary to preserve, protect, manage and restore wildlife and its habitat and to carry out the provisions of title 45 of NRS governing wildlife, including, without limitation, the manner and means of taking wildlife. (NRS 501.105, 501.181) Existing law authorizes the Commission to: (1) prescribe by regulation the types of bait and methods by which it may or may not be used in any designated water; (2) regulate or prohibit the use of live bait in fishing; and (3) prescribe the species which may be held or sold by a person who holds a permit to sell live bait. (NRS 503.300, 503.310)

Existing regulations authorize a person who has a fishing license or short-term permit to fish, or who is not required to obtain that license or permit, to capture, transport and use bait for fishing or personal consumption, subject to certain exceptions. (NAC 503.502) **Section 1** of this regulation authorizes the use of certain commercially prepared and preserved bait fish or parts thereof only in waters where the use of aquatic bait is authorized. **Section 1** also deletes provisions which authorize the transportation of aquatic bait and live bait fish from one river basin to another. Existing regulations set forth the requirements for the use of bait in the Western Region, which consists of all waters within Carson City and Churchill, Douglas, Humboldt, Lyon, Mineral, Storey, Pershing and Washoe Counties. (NAC 503.504) **Section 2** of this regulation deletes those requirements for certain portions of the Western Region, including, without limitation, the Carson River Basin, Humboldt River Basin, Walker River, Truckee River and Lake Tahoe. **Section 2** also: (1) authorizes the use of live bait fish only in certain waters of the Western Region; (2) authorizes the use of grasshoppers, earthworms, crayfish, preserved salmon eggs and other forms of aquatic and animal life as bait in the Western Region; (3) deletes the requirement that only one single barbless hook may be attached to each hook eye or ring of an artificial lure in certain reservoirs, lakes and rivers in the Western Region; and (4) in certain portions of the Truckee River, authorizes only the use of artificial lures with single barbless hooks. Existing regulations set forth the requirements for the use of bait in the Eastern Region, which consists of all waters in Elko, Eureka, Lander and White Pine Counties, and in the Southern Region, which consists of all waters in Clark, Esmeralda, Lincoln and Nye Counties. (NAC 503.506, 503.507) **Section 3** of this regulation prohibits the possession or use in the Eastern Region of any unprotected species of freshwater bait fish or parts thereof which are prepared and preserved commercially. **Section 4** of this regulation provides that, in the waters of Lake Mead, Lake Mohave and the Colorado River located in Clark County, Nevada: (1) only certain species of live freshwater fish may be lawfully raised, transported, sold, offered for sale or imported for use as live bait; and (2) authorizes the use of carp, gizzard shad and mosquito fish as bait under certain circumstances. Under existing regulations, aquatic bait and certain species of live bait may be captured, offered for sale, held or transported by a person who is permitted to sell live bait. Existing regulations also state that, 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. (NAC 503.510) **Section 5** of this regulation: (1) clarifies that certain provisions governing fishing apply to a person who is permitted to sell live bait; and (2) deletes the prohibition against the capture in the Western Region of any fish used as live bait from the Carson River below Quilici Dam. **Section 5** also: (1) revises the scientific names for tui chub, speckled dace and Piute Sculpin; (2) deletes red shiner and longjaw mudsucker from the species of live bait which may be captured, offered for sale, held or transported by a person who is permitted to sell live bait; and (3) revises the publication number and edition of the reference work from which certain species of live bait are named. Existing regulations set forth certain requirements for using live bait and other forms of animal life in the waters of the Colorado River, Lake Mead and Lake Mohave. (NAC 503.508) **Section 6** of this regulation repeals those requirements.

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

503.502 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) *Any unprotected species of freshwater bait fish or parts thereof which are prepared and preserved commercially may be used as bait only in waters where the use of aquatic bait is authorized, unless otherwise provided in the appropriate regional regulation.*

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

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

~~{(d)}~~ (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.

Sec. 2. NAC 503.504 is hereby amended to read as follows:

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

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 redbase (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.

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

(a) Only Lahontan redbase (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 redbase (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 redbreast (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.

10.] In the Western Region:

(a) Live bait fish may be used only in the river basin from which it is taken and only in the following waters:

(1) The Carson River Basin.

(2) The Humboldt River downstream from Stall Diversion Dam located near Golconda in Humboldt County, including Rye Patch Reservoir, Pitt-Taylor Reservoir, all waters in the Lovelock Valley, Chimney Reservoir and the Little Humboldt River downstream from Chimney Reservoir.

(3) The portion of the Lake Tahoe Basin located in Carson City and Douglas and Washoe Counties.

(4) Except as otherwise provided in subsection 3, the Truckee River Basin.

(5) The Walker River from the railroad bridge near Wabuska downstream to and including Walker Lake, except waters on the Walker River Paiute Reservation.

(b) Other forms of aquatic and animal life, including, but not limited to, grasshoppers, earthworms, crayfish, any unprotected species of freshwater bait fish or parts thereof which are prepared and preserved commercially, and preserved salmon eggs may be used as bait.

3. 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 ~~{Catnip}~~ :

(1) Catnip Reservoir ~~{}~~ ;

(2) Hobart Reservoir ~~{}~~ ;

(3) Knott Creek Reservoir, including inlet and outlet streams ~~{}~~ ;

(4) Marlette Lake, including tributaries and outlet streams ~~{, and that}~~ ;

(5) The 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 ~~{. Only one single barbless hook may be attached to each hook eye or ring of the lure.}~~ ; and

(6) The portion of the Truckee River from the bridge on East Mustang Road downstream to the boundary of the Pyramid Lake Paiute Reservation.

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

Sec. 3. NAC 503.506 is hereby amended to read as follows:

503.506 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, *or any unprotected species of freshwater bait fish or parts thereof which are prepared and preserved commercially* 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.

Sec. 4. NAC 503.507 is hereby amended to read as follows:

503.507 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.]~~ *the following species of live freshwater 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 mosquito fish may be used as bait but may be taken from and used only in the waters of the Colorado River.*

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

~~{(e)}~~ (d) A person holding a *valid* fishing license may purchase fish authorized for use as bait *pursuant to paragraph (a)* from a dealer in bait licensed in Arizona, California or Nevada or may, for ~~[his or her]~~ *the person's* 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 headline;

(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 *or any*

unprotected species of freshwater bait fish or parts thereof which are prepared and preserved commercially, is prohibited.

Sec. 5. NAC 503.510 is hereby amended to read as follows:

503.510 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 *the provisions of NAC 503.500 to 503.507, inclusive, and* any special conditions contained in the annual permit issued by the Department : ~~for in subsection 2:~~

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

Species	Western Region	Eastern Region	Southern Region
Fathead minnow (<i>Pimephalespromelas</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] <i>E</i>	X
[Piute] <i>Paiute</i> Sculpin (<i>Cottus beldingi</i>)	X	<i>D</i>	
<i>Sacramento blackfish (<i>Orthodon microlepidotus</i>)</i>	<i>X</i>		

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

~~{3}~~ The reference work from which the species listed in subsection 1 were named is special publication~~{12}~~ *34* of the American Fisheries Society, ~~[A List of]~~ *Common and Scientific Names of Fishes from the United States, ~~{and}~~ Canada, and Mexico* ~~{4th}~~ *7th* edition, ~~{ 1980.}~~ *2013*.

Sec. 6. NAC 503.508 is hereby repealed.

TEXT OF REPEALED SECTION

NAC 503.508 Use of bait in particular areas: Colorado River, Lake Mead and Lake Mohave.

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 leadline;
- (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.