

Meeting Location: Nevada Department of Agriculture
405 S. 21st Street
Sparks, NV 89431
775-353-3601

Video Conference: Nevada Department of Agriculture Nevada Department of Agriculture
2300 East St. Louis Avenue 4780 East Idaho Street
Las Vegas, NV 89104 Elko, NV 89801
702-668-4590 775-778-0270

Virtual Meeting Information: <https://us02web.zoom.us/j/86901262000>
Meeting ID: 869 0126 2000
Phone: +1-669-444-9171
Phone Access Code: 869 0126 2000

Public notice

Below is an agenda of all items to be considered. Action may be taken on items preceded by an asterisk (*). Two asterisks denote possible closed session (**). Items on the agenda may be taken out of the posted order, items may be combined for consideration, and items may be pulled or removed from the agenda at any time at the discretion of the chairperson. Unless noted as an action item, discussion of any item raised during a report or public comment is limited to that necessary for clarification or necessary to decide whether to place the item on a future agenda.

Public comment may be presented in-person, by computer, phone, or written comment. Written comments may be submitted by completing a public comment form available online at agri.nv.gov/Administration/Board_of_Agriculture/Board_of_Agriculture_Public_Comment/. Written comments can also be submitted via fax to 775-353-3661, email to h.rincon@agri.nv.gov, or to any of our offices listed below.

- a. Nevada Department of Agriculture: 405 S. 21st Street, Sparks, NV 89431
- b. Nevada Department of Agriculture: 4780 E. Idaho Street, Elko, NV 89801
- c. Nevada Department of Agriculture: 2300 E. St. Louis Avenue, Las Vegas, NV 89104

The chairperson may limit public comment that is repetitious, does not relate to a matter within the board's jurisdiction or prevents the meeting from continuing in an orderly manner. All public comments should be addressed to the Board of Agriculture and not an individual member. The board asks that your comments are expressed in a courteous manner. All public comment is limited to three minutes per person. Unused time may not be reserved by the speaker nor allocated to another speaker.

Reasonable efforts will be made for members of the public who have disabilities and require special accommodations for assistance at the meeting. Please call Holly Rincon at 775-353-3619 to make arrangements.

Notice of this meeting was posted on or before 9 a.m. on the third working day before the meeting at the following locations: Nevada Department of Agriculture, 405 S. 21st Street, Sparks, NV 89431, Nevada Department of Agriculture, 4780 E. Idaho Street, Elko, NV 89801, Nevada Department of Agriculture, 2300 St. Louis Avenue, Las Vegas, NV 89104. Copies of the agenda, supporting documentation and meeting minutes are available, at no charge, at the Nevada Department of Agriculture website at agri.nv.gov or www.notice.nv.gov or by visiting the Nevada Department of Agriculture, 405 S. 21st Street, Sparks, NV 89431.

Agenda

1. Open meeting-call meeting to order by Jim Snyder at 9:00 a.m.

- A. Pledge of Allegiance
- B. Moment of Silent Reflection
- C. Virtual Attendee Reminders
- D. Roll Call – Total Attendees - 57
 - Board of Agriculture (9):
 - Jim Snyder
 - Bernard Petersen
 - Heather Lackey
 - Paul Noe
 - Valerie Drake
 - Dave Coon
 - Charles Frey
 - Pete Paris
 - Duane Coombs
 - Senior Deputy Attorney General Andrea Nichols (1):
 - Department of Agriculture (18):
 - J.J. Goicoechea, DVM
 - Doug Farris
 - Amara Vigil
 - Bill Striejewske, Ph.D.
 - Chad Sestanovich
 - William Dawson
 - Brittany Mally
 - Meghan Brown
 - Ciara Ressel
 - Patricia Hoppe
 - Holly Rincon
 - Dillon Davidson
 - Ian Knight
 - Peter Mundschenk, DVM
 - Julia Miller-Ketchem
 - Jessica Whitley
 - Jake Dawley
 - Melanie Sanchez Hernandez

- Public Attendees (29):
 - Sherri
 - Austin Yohey
 - JMK
 - Doug Busselman
 - Darrell Pursel
 - Leana Carey
 - Jake Tibbitts
 - Sabrina Schnur
 - Jeanette Durbin
 - JR Whitfield
 - Justin Johnson
 - Jacquelyn Steen
 - 775-230-1402
 - Tracy Wilson
 - Karin
 - Nicole Hayes
 - Allison Hinkle
 - Kari Brock
 - Kathie Taylor
 - Nora Hall
 - Heather Freeman
 - Heather Hall
 - Jamie Lee
 - Wilde Brough
 - Jeff
 - Annie
 - Kelli Kelly
 - Marty Plaskett
 - Deanna Kirk

2. Board Management

- A. *Invocation of Jim Snyder to run the meeting in the absence of the Chairperson (*for possible action*)
- B. *Resignation of Chairman Worthington (*for possible action*)
 - Motion to accept Mr. Worthington’s resignation by Charlie Frey
 - Heather Lackey seconded the motion
 - Motion passed unanimously
- C. *Election of Board Chairperson (*for possible action*)
 - Motion to nominate Jim Snyder as the new Chairman by Pete Paris
 - Motion to close nominations by Charlie Frey
 - Valerie Drake seconded the motion to close nominations
 - Motion to nominate Jim Snyder as the Chairman passed unanimously
- D. *Discussion on Prescribing Rules for the Management and Government of the Board of Agriculture as per NRS 561.105 (*for possible action*)

- Motion to nominate Dave Coon to act in place of the Chairman in his absence by Bernard Petersen
- Pete Paris seconded the motion
- Motion to close nominations by Duane Coombs
- Heather Lackey seconded the motion to closed nominations
- Motion to nominate Dave Coon as the member to act in place of the Chairman in his absence passed unanimously

3. Public Comment

Public comment by Allison Hinkle - American Wild Horse Conservation; Good morning Chair and Board Members; I am the Virginia Range Program Coordinator with American Wild Horse Conservation. We wanted to briefly share some good news on the success of our Virginia Range Fertility Control Program. Foal births were reduced by 66% in 2023 compared to 2020, which was the first full year of the program. This reduction in foal births paired with a high foal mortality rate primarily due to predation, has resulted in more deaths than births, and thus negative population growth. With all of the pieces of population management working together, such as robust and accurate documentation, the balance of predation, and natural attrition, we are seeing population decline in most areas. For example, in the City of Reno interface, from Hidden Valley to Geiger Grade, there were only two surviving foals from 2022 and 2023 combined. Through meticulous documentation of this area, we have been able to confirm the population within the City of Reno-rangeland interface has significantly declined. Additionally the City of Reno's fencing plan to replace and improve sections of existing fencing, as well as their multi-agency plan to fence a critical area around Geiger Grade, will result in significantly less horse-human conflict. The first four years of our Virginia Range Fertility control programs data was utilized in a novel peer-reviewed study, published in the journal Vaccines, which concluded fertility control programs in large wild horse herds are both feasible and effective. This same data will be presented at the 39th annual World Veterinary Association Congress in Cape Town, South Africa in just a few weeks. This conference includes scientists and veterinarians across all disciplines coming together to explore challenges facing not only animal health and welfare, but the environment. AWHC was selected as one of 104 international speakers presenting to the conference of around 1,500 attendees. We would like to thank you for your continued support of this program and look forward to entering our sixth year. Thank you for your time.

4. Minutes

- A. *Approve December 8, 2023 minutes (*for possible action*)
- Motion to approve the minutes by Charles Frey
 - Valerie Drake seconded the motion
 - Motion to accept the minutes passed unanimously

4. Board Reports

- A. Board Member Updates on Represented Industries (*for information only*)

5. Director's Report

A. Report – J.J. Goicoechea, DVM, Director (*for information only*)

6. Administrative Services

A. Board Update – Doug Farris, Deputy Director & Amara Vigil, Administrator (*for information only*)

- New entry permit program, many thanks to NDA staff
 - Duane Coombs commented on the ease of new system and how wonderful it is to be able to get animals into Nevada timely
- Thank you from Director Goicoechea to Ciara Ressel on her work on the new NDA logo

7. Food and Nutrition

A. Board Update – Patricia Hoppe, Administrator (*for information only*)

- Working on building a statewide network for Farm2School; received funding; building stakeholder list and survey

Chairman Snyder called for a 5-minute break at 10:11 a.m.

Meeting called back to order by Chairman Snyder at 10:18 a.m.

8. Measurement Standards

A. Board Update – Bill Striejewske, Administrator (*for information only*)

9. Plant Health and Compliance

A. Board Update – Meghan Brown, Administrator (*for information only*)

- Chairman Snyder asked if the NDA is following or commenting on the Solar Project in Fallon, as well as about the current state of the Sage-grouse population
 - Director Goicoechea responded that the NDA is not following projects on private lands; if there is a project that will impact agriculture, please notify the NDA to follow up
 - Meghan Brown discussed that the Sage-grouse populations are down; last winter was tough
 - Director Goicoechea added that Nevada has a predator problem; ravens are smart, and they have a huge impact on that population; letter sent to the Department of Wildlife

10. Animal Industry

A. Board Update – Chad Sestanovich, Administrator (*for information only*)

- Comment by Duane Coombs regarding the ravens; this also affects the pinion jay population; appreciate the work the NDA is doing with regards to the ravens and starlings

B. *Discussion and adoption of proposed regulations for LCB File No. R003-23P regarding

the amendment of regulations pertaining to chapter 583 of the Nevada Administrative Code (NAC) – Shayda Sanjideh, Project Manager (*for possible action*)

Shayda Sanjideh called for any public comment related to the proposed changes to NAC 583.

Public comment by Leana Carey – expressed appreciation for Shayda Sanjideh; her heart is to protect the industry and the need for this program is so important.

Public comment by Darrell Pursel – small cattle farmer in Yerington, NV; even talking about custom kill/custom processing regulations has driven custom processors underground. The cost to them is going to be high. Worried this will drive custom processors underground.

Public comment by Heather Hall – Dietician/ rancher in Winnemucca, NV; I am pleased to hear our Department of Agriculture is trying to make processing and sale of local meats and poultry more accessible. As a registered dietitian, I know Nevada residents are interested in having access to locally produced meat and poultry. Nevada is a rural and sparsely populated state, so we have some unique challenges that most other states do not have. My family raises beef cattle and poultry near Winnemucca. I will share what my family has experienced in trying to produce and sell local products that are affordable and, therefore, obtainable to a large number of locals. In the past selling our beef directly to consumers has been difficult because: 1) The market of local customers is too small to support the costs involved with obtaining all the permits and obtaining USDA processing. 2) In order to sell beef, I pay roughly 50% more per animal to have it processed via USDA inspection. The closest USDA processor is a 2 hour drive. 3) I have to obtain a warehouse permit costing \$498 plus additional fees up to \$332 in order to store the beef in my freezer. 4) Furthermore, the freezer I store meat in must be an NSF endorsed freezer that comes with a price tag of over \$10,000, rather than an economical chest freezer. 5) It does not stop there. To sell at the Farmers Market, I have to obtain a catering permit with an additional price tag of \$50 per market (ours are held every other week), and possibly other permits because it is a product that requires temperature control. 6) By this point I have paid around \$2500 for a fat steer or heifer, \$1500 to process it USDA, \$10,000 for a freezer, \$1200 in permits, plus a few hundred in travel to and from the processor. I can't sell this meat at a price that is accessible to most consumers. Selling poultry comes with all the above challenges, plus the added challenge that we have no poultry processing facilities nearby. So my options are, 1) Haul our poultry to the nearest processor in Idaho, which means a 4-hour drive one way, risking losing many birds during this long transport, purchasing enough crates to transport 200 birds costs around \$2000, rent and haul a separate refrigerated trailer to and from Idaho, USDA processing costs \$6-\$9 per bird, fuel and travel expenses. 2) Process the poultry ourselves. From what I have been able to ascertain, we can do this through the 1,000 or 20,000 bird exemptions. However, the requirements for processing our own birds make it very expensive. It cannot be done in our own kitchen yet must be done somewhere with 3 walls for the killing, 4 walls for the rest of the processing, potable water, separate sewage, separate bathroom facilities, handwashing facilities, and permits to verify all this. The one person in Nevada I know of that was able to process her own birds under this exemption said it cost her \$50,000 to build a compliant facility (per my memory of our conversation). The amount of birds we will be raising just doesn't justify us putting in a facility that is even ¼ of that price. 3) Rent a mobile processing unit (MPU). This is not a current option but could be a fantastic solution to allow us to process our poultry in a

compliant facility. I hope the regulations will make solutions like this feasible so private persons or our local county extension could rent MPUs out. Because of these obstacles, our Farmer's Market currently has NO meat or poultry for sale. In order to purchase locally raised meat or poultry right now in most rural Nevada towns customers must be willing to pay prices much higher than the grocery store (most families cannot afford to do this on an ongoing basis, producers must be willing to sell products at little or no profit, or purchases must happen illegally, without all the necessary permits. As you put these new changes in place to allow state inspection for meat and poultry processing, I urge you to consider the extremely rural circumstances most producers in Nevada find themselves in, and the extremely small customer bases most producers serve outside of Reno or Las Vegas. I specifically hope guidelines will allow for simple and affordable set-ups for ranchers, farmers and homesteaders to self-process small amounts of meat and poultry to sell direct-to-consumer- possibly open air processing or processing under a pop-up tent, and not requiring separate bathroom facilities, etc., that don't make sense for a family processing a small number of animals, simple cold storage guidelines with affordable freezers being an option for very small producers, an affordable, one-time per year Farmer's Market permit option for sellers of temperature-controlled food items like raw meat, affordable USDA or state-inspected processing options, mobile processing units for both meat and poultry throughout the state, perhaps within each county or even tri-county areas. For instance, Humboldt, Lander, and Pershing Counties could easily share one MPU. Overall, I am hopeful whatever changes are put in place make it easier, and not more difficult, for us to produce and sell more food within Nevada. I hope there is an equal chance for rural Nevadans of any income to still buy locally produced meat and poultry. I hope there is an opportunity for producers of any size to also sell their products to local consumers. Thank you for your consideration.

Public comment by Doug **Busselman** – Farm Bureau; attended all workshops; expressed appreciation to Shayda Sanjideh and NDA for all of the workshops held to give people the opportunity to give input. One of the Farm Bureau's main concerns had to do with the pricing associated with the process for licensing and the inspection process of plans that a facility would bring forward; all of those were being assessed at the same rate, and we requested a differentiation between sectors, and some of that did occur, which was positive. We still have some concerns regarding custom and mobile facility fees. Moving forward we'll see how many actually participate, which will have an impact on the success of the program. We are eager to get something going for a state inspector program, and getting legitimate regulations in place is important. Having our own regulations makes things more legitimate and will be a benefit as well. Looking forward to working on this moving forward.

Discussion of proposed amendments to NAC 583 led by Shayda Sanjideh.

Opened up for any additional comments or questions by Shayda Sanjideh.

Comment by Director Goicoechea – thank you to Shayda Sanjideh for her work on this; we made changes that were appropriate to the suggestions we received; we understand we will have to tweak this as it moves forward; appreciate the Board for listening and wishing to be involved and we want to continue to be transparent; this is a priority of mine as well as the Governor's.

Question from Heather Lackey - is it based on the person's word that the water on site is safe to use?

- Answer: Yes, they are certifying that the water is safe to be used on their animals. Would hope producers are testing for safety, but it is a self-certification.

Question from Charlie Frey – is there a budget for additional employees, inspectors, etc.?

- Answer: Yes, ideally we will have an inspector at each office, I will be trained as an inspector; want to be helpful to the industry

Question from Kari (online) – I would like to hear clarification on the state inspection having the “not for sale” on the label. I understood, and please correct me if I am wrong, that the state inspections would allow us to sell in state without the USDA inspection.

- Answer: State inspection allows for the sale; it would be custom processing that is labeled “not for sale”.

Question from Heather Hall – Is there an avenue to work under an exemption?

- Answer: Yes; can work under USDA exemption; happy to help if you're interested in that.

Question(s) from Duane Coombs – How much do the regulations change what we're doing now for the custom processors?

- Answer: All regulations are things they should already be doing; these regulations are to provide clarification for existing and new processors.

Does it change the licensing process?

- Answer: No; we as a department want to ensure you develop safe, clean product. Does not apply to an existing processor; no plan review is required.

Will these regs allow us to get set up with state inspectors so we can sell our product?

- Answer: Yes; we will inspect as USDA does. If we follow what they require, they give us permission to inspect for commerce products.

The new regulations don't force processors into that category?

- Answer: No, it does not. If they are already doing custom processing, they are separate from Meat and Poultry processing regulations. Happy to talk this through if you know anyone who has questions or concerns.

Question(s) from Annie (online) – Will the mobile processing have access to state inspection options?

- Answer: Mobile can only operate under Custom processing.

Will the state inspection include the time of slaughter or just carcass inspection?

- Answer: It will have both. If USDA does it, we have to do it as well.

Question from Doug Busselman – How many custom processors are currently licensed in

Nevada?

- Answer: Approximately 14.
- Comment by Duane Coombs - If they are underground now, we can't drive them further underground.

Question from Justin Johnson – would the NDA be adopting the generic sponge test as well as the trim/grind samples at the same frequency?

- Answer: As USDA requires it, we have to require it as well.

Comment from Shining K Meats – we did just finish building a Mobile Processing Unit (MPU) that checks all these boxes; it can be done.

Comment from Leana Carey – she appreciates the NDA, and that Nevada must move forward and embrace the future.

Comment from Kari – happy to hear NDA is dedicated to providing safe, healthy food for Nevadans, as well as looking out for not only the consumer but the producers.

- Motion to approve the new regulations made by Duane Coombs
- Heather Lackey seconded the motion
- Motion to approve the new regulations passed unanimously

As the State Quarantine Officer, I, Director J.J. Goicoechea, would ask Shayda Sanjideh to submit this to the Legislative Counsel Bureau for final approval, get these regulations formerly adopted, and put in place as soon as possible.

11. Public Comment

Pete Paris commends the NDA stating this is the best video/sound system we've had for a while. I can see and hear better than ever before, so thank you.

12. Final Roll Call

13. Adjournment

- Motion to adjourn by Charlie Frey
- Duane Coombs seconded the motion
- Motion to adjourn passed unanimously

Meeting adjourned at 11:50 a.m.