

Meeting Location: Nevada Department of Agriculture
2300 East St. Louis Avenue
Las Vegas, NV 89104
702-668-4590

Video Conference: Nevada Department of Agriculture Nevada Department of Agriculture
405 South 21st Street 4780 East Idaho Street
Sparks, NV 89434 Elko, NV 89801
775-353-3601 775-778-0270

Virtual Meeting Information: <https://us02web.zoom.us/j/86255572080>
Meeting ID: 862 5557 2080
Phone: +1-669-900-9128
Phone Access Code: 862 5557 2080

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 (if there is a physical meeting location), by computer, phone, or written comment. Written comments may be submitted by completing a public comment form available online at http://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 sbellwood@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 comment 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 Samantha Bellwood at 775-432-4263.

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 Chair Woody Worthington

- A. Pledge of Allegiance
- B. Moment of Silent Reflection
- C. Roll call

Members in attendance: Woody Worthington, Charlie Frey, Paul Noe, Jim Snyder, Bernard Petersen, Heather Lackey, Dave Coon, Valerie Drake, Pete Paris

NDA staff in attendance: Jennifer Ott, Jerri Conrad, Samantha Bellwood, Cadence Matijevich, Homa Anooshehpour, Meghan Brown, Doug Farris, William Striejewske, Dr. J.J. Goicoechea, Ciara Ressel, Dillon Davidson, Jake Dawley, Richard Yien, Adelina Helton, Amara Vigil, Jeannette Durbin, Shayda Sanjideh

The meeting was called to order at 9:00am.

2. Public Comment

Craig Petersen provided public comment inquiring about the lack of participation in the NPIP Poultry Program.

Brian Markowski provided public comment inquiring about what a small producer can do when they feel like their right to farm in being violated by a city, county or state and how those violations are reported. In addition, Mr. Markowski also submitted public comment inquiring if the Board could explain why there were less than 30 loans provided from the USDA Farm Service Agency in 2022.

Doug Busselman, representing the Nevada Farm Bureau provided public comment on the recent NAC 571 regulation workshops and the proposed changes.

Jennifer Garrett provided public comment on the recent NAC 571 workshop and the proposed changes.

Leana Carey provided public comment on the recent NAC 571 workshops and the proposed changes.

3. Minutes

- A. *Approve September 14, 2022 minutes (*for possible action*)

Bernard Petersen moved to approve the September 14, 2022 meeting minutes. Heather Lackey seconded the motion. The motion passed unanimously.

4. Board Member Updates on Represented Industries

- A. Industry updates – Board Members (*for information*)

5. Director’s Report

- A. Report – Jennifer Ott, Director (*for information*)

6. Food and Nutrition

- A. Board update – Patricia Hoppe, Deputy Administrator (*for information*)

7. Measurement Standards

- A. Board update – Cadence Matijevich, Administrator (*for information*)
- B. *Discussion and adoption of proposed regulations for LCB File No. R038-21RP2 regarding the amendment to regulations pertaining to Chapter 590 of the Nevada Administrative Code – Cadence Matijevich, Administrator (*for possible action*)

In addition to the attendees listed in Agenda Item #1, attendees included William Payne, Brooke Coleman, Leana Carey, Nicole Hayes, Debra Frey, Joe Frey, Varlin Higbee, Doug Busselman, Elisha, Alexandria Cannito, William Horne, Kyle Call, Jim Verburg, Joseph Sorena, Loey Lynn, Janie Kilgore, Sarah Collins, Joe Guild, Jennifer Garrett, Lili Wolf and caller 775-352-0414.

Chairman Worthington opened the hearing for the adoption of proposed regulations for LCB file No. R038-21RP2 regarding the amendment to regulations pertaining to Chapter 590 of the Nevada Administrative Code at 10:09am.

Public comment was opened, and written comment received from the Nevada Division of Environmental Protection was entered into the record.

Dr. Striejewske provided an overview of the proposed changes and the need for revising the regulations.

Jim Snyder moved to adopt the proposed regulations. Paul Noe seconded the motion. The motion passed unanimously.

The public comment period was reopened. Kyle Call, representing Maverick, provided public comment thanking the Nevada Board of Agriculture.

The hearing closed at 10:29am.

8. Plant Health and Compliance

- A. Board update – Ashley Jeppson, Administrator (*for information*)
- B. *Purchase order approval to use funds from 4544-10, Assessment for Alfalfa Seed research for payment to the National Alfalfa Forage Alliance and Western Alfalfa Seed Growers Association (*for possible action*)

Jim Snyder moved to approve the purchase order to use funds from 4544-10, Assessment for Alfalfa Seed research, for payment to the National Alfalfa Forage Alliance and Western Alfalfa Seed Growers Association. Heather Lackey seconded the motion. The motion passed unanimously.

9. Animal Industry

- A. Board update – Jennifer Ott, Director (*for information*)

10. Administrative Services

- A. Board update – Jerri Conrad, Deputy Director (*for information only*)
- B. Use of Force Policy approval – Jerri Conrad, Deputy Director (*for possible action*)

Heather Lackey moved to approve the Use of Force Policy. Dave Coon seconded the motion. The motion passed unanimously.

- C. Law Enforcement Bias Indicators and Early Warning System Policy approval – Jerri Conrad, Deputy Director (*for possible action*)

Heather Lackey moved to approve the Law Enforcement Bias Indicators and Early Warning System Policy. Paul Noe seconded the motion. The motion was approved unanimously.

11. Public Comment

Leana Carey provided public comment thanking the Nevada Department of Agriculture for their work.

12. Adjournment

13. Tour of The Just One Project

- A. The tour is limited to Board of Agriculture Members (*for information only*)

Samantha Bellwood

From: sbellwood@agri.nv.gov; <boapubliccomment@agri.nv.gov>
Sent: Saturday, December 10, 2022 4:49 AM
To: Samantha Bellwood; Board of Agriculture Public Comment
Subject: Board of Agriculture Public Comment

Follow Up Flag: Follow up
Flag Status: Flagged

Data from form "Board of Agriculture Public Comment" was received on 12/10/2022 4:49:06 AM.

Public Comment Form

| Field | Value |
|----------------------------|--|
| Name | Doug Busselman |
| Organization | Nevada Farm Bureau |
| Email Address | doug@nvfb.org |
| Physical_address | 2165 Green Vista Dr. |
| City | Sparks |
| State | Nevada |
| Zip code | 89431 |
| agenda_number | 1 |
| agenda_letter | A |
| Favor, Opposition, Neutral | Neutral |
| Wish to Speak | Yes |
| Comment | I wish to speak to the Board during the opening Public Comment period. Thank you. |

Email "Board of Agriculture Public Comment" originally sent to sbellwood@agri.nv.gov; boapubliccomment@agri.nv.gov from sbellwood@agri.nv.gov; boapubliccomment@agri.nv.gov on 12/10/2022 4:49:06 AM.

12/12/2022

To;
NV Dept. of Ag, Board of Directors
NV Dept. of Ag, Doug Farris
NV State Vet, J.J. Goicoechea
NV Dept. of Ag Director, Jennifer Ott

Hello,

We are writing to convey our thoughts after attending the 4 workshops that were put on by the Dept. to discuss the changes to NAC 571 which would make annual Trich testing mandatory.

We feel that burdening all the producers because there are a few problem Trich areas in the state is unfair, unnecessary, overreaching and will not clean up the problem areas.

Enacting mandatory annual Trich testing is wrong for the following reasons;

- Enforcement will be difficult especially for a Dept. that is short on employees and having a hard time covering its current duties. More labor will be needed to keep track of who has tested and if the number of bulls tested correlates with the number of bulls on the tax roll, etc. Obviously, the Dept. will be more burdened than it is now if it has to make sure everyone Trich tests yearly vs. just cleaning up Trich areas.
- The number of positive bulls is very small, less than 1% in close to half of the bulls tested. These numbers prove that Trich in Nevada is not a statewide problem but rather an area problem and that ranchers are taking care of Trich through management and testing.
- Annual Trich testing will put an unnecessary hardship on ranchers in time, labor and cost. Not all ranchers gather all their bulls yearly nor do they have Trich testing facilities where they gather their bulls. Ranchers also stated that it can be difficult to schedule a vet when needed.
- The Dept. states that the idea of mandatory annual Trich testing came from the industry but the industry also voiced their opinion against mandatory annual Trich testing through a petition sent to all of you previously.

At the recent workshops, producers that were advocating mandatory Trich testing were from problem Trich areas or were concerned commuter herds were spreading Trich. If these are the Trich problems, than the Dept. should concentrate on fixing these problems, not on burdening all producers.

In these workshops the State Vet, JJ Goicoechea, suggested two possible changes to the current regulations.

One was that the Dept. be able to require a ranch test for multiple years because Trich sometimes resurfaces. Requiring bulls to be Trich tested before and after exposure to cows as a condition of being released from a hold order is a good change that should be inserted into the rules. The Dept. could then have the option of requiring testing for 2 more years if needed for a total of 3 years. If tests results are clean every year for those 3 years than they should not have to test further and they should have no restrictions placed on them during those 3 years.

Another suggestion was possibly requiring Trich positive “areas” to test. How big would these areas be and how would they be determined? The current regulations require that all neighboring bulls to a positive bull have to be tested. This helps ensure that an area gets cleaned up by testing bulls that may also be Trich infected.

We want to thank the Dept. for putting on the workshops. They were very informative and productive. Workshops should also be held in Southern and Central Nevada to enable ranchers in those areas to express their opinion on the proposed changes. These areas do not have the internet capabilities to watch via zoom and the phone call does not work well. Also, person to person meetings are much more constructive.

Mandating all producers test where there is no Trich problem is the wrong way to go and will not ensure that problem Trich areas get cleaned up. Fixing current regulations so that enforcement is effective and efficient and ensures that Trich infested areas will definitely be cleaned up is a much better solution.

Thank you for your time and consideration.

Jennifer Garrett
Lili Wolf

Samantha Bellwood

From: Brian Markowski <brian.markowski@gmail.com>
Sent: Monday, December 12, 2022 11:01 AM
To: Samantha Bellwood
Subject: Board of Agriculture Meeting

Follow Up Flag: Follow up
Flag Status: Flagged

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Could someone from the board please explain why there were less than 30 loans provided from the farm service agency in 2022 (according to the program data) in the entire state and Nevada, the Lowest in the entire nation.

Samantha Bellwood

From: Brian Markowski <brian.markowski@gmail.com>
Sent: Saturday, December 10, 2022 8:53 AM
To: Samantha Bellwood
Subject: Nda comments

Follow Up Flag: Follow up
Flag Status: Flagged

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Greetings' my question for the board is,

what can a small producer do when they feel like their right to farm is being violated by a city county or state?

Who are those violations reported to and how and what information should I be reporting?

Samantha Bellwood

From: sbellwood@agri.nv.gov; <boapubliccomment@agri.nv.gov>
Sent: Friday, December 9, 2022 1:22 PM
To: Samantha Bellwood; Board of Agriculture Public Comment
Subject: Board of Agriculture Public Comment

Follow Up Flag: Follow up
Flag Status: Flagged

Data from form "Board of Agriculture Public Comment" was received on 12/9/2022 1:22:24 PM.

Public Comment Form

| Field | Value |
|----------------------------|---|
| Name | Craig Peterson |
| Organization | Private citizen who wishes to engage in interstate commerce |
| Email Address | craigpeterson78@yahoo.com |
| Physical_address | 897e 139th n |
| City | ely |
| State | Nevada |
| Zip code | 89301 |
| agenda_number | 9 |
| agenda_letter | A |
| Favor, Opposition, Neutral | Neutral |
| Wish to Speak | No |
| Comment | <p>Good evening,</p> <p>I would like to comment on the lack of state participation in the NPIP poultry program. Currently Nevada is the only contiguous state that does not participate in the national poultry improvement program. The lack of participation severely limits Nevada residents ability to export live poultry to other states and provides an economic disadvantage to residents wishing to conduct business as a hatchery. State law recognizes NPIP certified hatcheries from other states and has lessor requirements for those participating members who wish to import poultry into the state. BY having different requirements for certified vs uncertified the state is recognizing the value of the program while denying its own residents access to its benefits. I would strongly encourage Nevada's participation in the program and as a breeder would be more than willing to support the program through fees. All we ask is that our state afford us the same opportunity as residents of the other 47 contiguous states.</p> <p>Thank you</p> |

Email "Board of Agriculture Public Comment" originally sent to sbellwood@agri.nv.gov; boapubliccomment@agri.nv.gov from sbellwood@agri.nv.gov; boapubliccomment@agri.nv.gov on 12/9/2022 1:22:24 PM.