

Name of Organization: Nevada State Board of Agriculture

Date and Time of Meeting: August 26, 2008 at 8:30 am
August 27, 2008 at 8:30 am

Place of Meeting: Nevada Farm Bureau
2165 Green Vista Drive, Suite 205
Sparks, NV 89431
1-800-992-1106 or (775) 674-4000

Minutes

August 26, 2008 at 8:30 am

The meeting was available by videoconference at the following locations:

University of Nevada Cooperative Extension
8050 Paradise Road – Room A
Las Vegas, NV

University of Nevada Cooperative Extension
1500 College Parkway
Greenhaw Technical Art Center (off Elm Street) – Room 124
Elko, NV

Humboldt Extension Office
1085 Fairgrounds Road
Winnemucca, NV

White Pine Extension Office
995 Campton Street
Ely, NV

1. Call to order by Chairman Lawrence Waugh

The meeting was called to order by Chairman Lawrence Waugh at 8:30 am. Chairman Waugh asked for the introduction of Board members, staff, and guests.

Board Members Present

Harvey Barnes
Dave Barton
Dave Cassinelli
Dan Hetrick
Hank Vogler
Ramona Morrison
Alan Perazzo
Lawrence Waugh
Jim Johnson

Staff Members Present

Holly Pecetti
Dr. Anette Rink
Dr. Phil LaRussa
Bill Striejewski
Mark Jensen
Tony Lesperance
Katie Armstrong
Sandie Foley
Steve Schultz
Mark Jensen

Board Members Absent

Marta Agee
Benny Romero

Guests

Nancy Lesperance
John O'Brien – retired NDOA
Alan DiStefano – Economic Development
Doug Busselman – Farm Bureau
Dennis Hellwinkel – Farm Bureau
GeorgeBotta
Don Alt – Diamond A Ranch
Matt Leck – Southern Nevada Water
Dean Baker
Dan Gralian – Nevada Cattlemen's Assoc.
Meghan Wereley – Nevada Cattlemen's
Martin Owens - UNR

2. A Approval of Board minutes from May 21, & 22, 2008 meeting.

Harvey Barnes made a motion to adopt the minutes as written for the May 21, 2008 and May 22, 2008 meetings with the following corrections:

Page 12, May 22, 2008 minutes – add Dr. Marc Johnson as a guest.

Page 13, May 23, 2008 minutes – complete the sentence in Item 8.2.c

(the sentence was completed with the following corrections: Eco Cast is corrected to Eco Kat and the sentence finished to read: This is a company looking to locate in Northern Nevada and convert organic waste into fuel).

Hank Vogler seconded the motion as corrected. Motion carried unanimously.

2. B Charlie Frey, Nevada Viticulture Industry.

Mr. Frey did not attend the meeting..

2. C Doug Busselman, Nevada Farm Bureau, regarding Fallon dairymen.

Mr. Busselman commented on Fallon area dairy farmers and the situation they are dealing with at the present time. The Nevada Farm Bureau met with dairy producers in Fallon, Assemblyman Pete Goicoechea, Assemblyman Tom Grady, and representatives of the Nevada Dairy Commission. The problems dairy producers are facing today, not having processing

plants available to them and future plans for locating a cheese processing plant in Fallon, were discussed. Discussions are continuing for finding processing plants.

The Nevada Farm Bureau has announced plans to hold a policy meeting specifically to address dairy issues with dairy producer members. The meeting is planned for September 25, 2008 in Fallon.

The Farm Bureau's policy is very supportive of the Nevada Dairy Commission. Doug said there are significant reasons to question whether the Farm Bureau has any role in helping Nevada dairy producers. He said perhaps the Farm Bureau needs to work with the dairy producer members and re-examine the Farm Bureau's policy. He said they probably will look at their policy regarding Nevada producers and the federal milk marketing order.

Doug stated as the Nevada livestock industry continues their discussion for standards on animal care issues, dairy producers need to become involved in those discussions as well so that they have a say in developing changes.

2. D Dan Gralian, Nevada Cattlemen's Association

Mr. Gralian told the Board that he is very supportive of Chris Collis and the work he is doing and Director Lesperance.

Mr. Gralian said he would not be able to attend the meeting tomorrow (August 27th) and said he would go on record now as recognizing and supporting the efforts Chris Collis has made in developing an action plan to address the issue of weak or downer cows, should the problem occur. Mr. Gralian said he has worked with Chris and Director Lesperance in developing this plan and we fully support the plan they have developed.

He said he recently attended a Wildlife Commission meeting in Eureka. He had the opportunity to comment on the Nevada Department of Wildlife's proposal to release Bighorn sheep in the Frenchy Canyon area of the Cortez Mountains.

He said that there are many issues concerning the interaction of wild sheep populations and domestic sheep that have yet to be resolved. The Nevada Cattlemen's Association believes that these issues, backed with science, must be resolved before there are any further releases, transplanting, introductions or reintroducing of wild sheep. Therefore, the Nevada Cattlemen's Association is opposed to the release of wild sheep in the Cortez Mountains at this time

2. F Marty Owens, Director, Nevada Agriculture Statistics

The Nevada Agricultural Statistics Service is the Nevada Field Office of the National Agricultural Statistics Service; USDA's official statistical agency. Their mission is to provide timely, accurate and useful statistics in service to U. S. agriculture.

Mr. Owens provided a short brief on the current state of agricultural in Nevada from a statistics viewpoint.

- Crop acreage is down this year. This reflects the effects of urban sprawl, high input costs and limited water supplies.
- Alfalfa hay acreage is estimated at 260,000 acres – off 5,000 acres from last year. Production is forecast to be 4 percent lower than last year. July average price was \$196 per ton.
- Acreage of other hay, including grass, grain, timothy, sudan and other types is expected to be down about 10,000 from last year. July all other hay price was \$185.00 per ton. Grain hay averaged \$155 per ton, grass hay \$205 per ton and timothy about \$300.00 per ton.
- Nevada’s wheat acreage is estimated at 24,000 acres, up from last year’s 23,000 acres.
- Barley acreage is estimated at 4,000 acres, up from last year’s 3,000 acres.
- Corn acreage is estimated at 4,000 acres, down from last year’s 5,000 acres. Nearly all of the corn acreage is harvested for silage.
- Potato acreage is estimated at 6,300 acres, 1,000 fewer than last year.
- Onion acreage is 2,700 acres, near last year’s level of 2,800 acres. Crop is in good condition; yields are expected to average 38 tons per acre, up from last year.
- Estimates for alfalfa seed and mint are not in yet.
- Livestock numbers are down because of high feed costs, moderating demand, and limited forage supplies. As of January, 2008, cattle inventory was at 450,000 head, 10% below last year. Mr. Owens said he saw no signs of recovery and expected further decline through the end of the year.

2.G John O’Brien, retired Plant Administrator, Nevada Department of Agriculture and Alan DiStefano, Nevada Commission on Economic Development reporting on Western United States Agriculture Trade Association (WUSATA) and their trip to China.

Mr. DiStefano’s presentation was accompanied by a power point presentation. He described to the Board how the Nevada Commission on Economic Development (NCED) was created by the Legislature in 1983. The single trade agency was divided into three agencies: the Nevada Commission on Economic Development (NCED), the Nevada Commission on Tourism (NCOT); and the Division of Business and Industry.

He explained the history of the Memorandum of Understanding between NCED and the Nevada Department of Agriculture (NDOA) wherein NCED was responsible for the export promotion of Nevada’s agriculture and food products. He said Nevada is not the only state where export promotion of agriculture and food products was not done by the state agriculture department. There are 6 states that do the export promotion of agriculture and food products through the state’s economic development of commerce departments. In the Western states, Nevada and Wyoming do their promotion through their commerce agency and in the near future, Arizona will be doing the same.

Mr. DiStefano explained how the Market Access Program (part of the Farm Bill) is funded every year and how USDA created WUSATA, along with it’s three sister non-profit agencies

in the Midwest, South, and Northeast US, as agencies to work with the states and private companies to administer the Market Access Program (MAP) in their respective geographic areas.

He said that in looking at the exports for 2000, he noticed that we were not exporting onions and knew that opportunities existed in Mexico through WUSATA. He spoke with the major onion growers in Yerington and Mason/Smith Valley areas and they told him they were selling to brokers in California who were exporting to Mexico. He told them about the WUSATA programs and how they could help them. Since there was interest, he received a grant in 2001 to take seven of Nevada's major onion growers to Mexico. They went to Mexico City and Guadalajara and visited the major importers in the central markets as well as major Mexican and US grocery store chains in Mexico to start exploring relationships. We started to see the first export of onions to Mexico in 2002, and in 2007, our onion exports were about 6 million. After introducing these growers to Mexico, some are exporting to Canada and Japan.

John O'Brien's presentation on his visit to China included a power point. He visited Hong Kong June 12 – 20, 2008.

John explained that a December, 2007 Memorandum of Understanding between the Oregon Department of Agriculture, China Certification and Inspection group, South China University and Zhuhai Peace Logistics Company was the reason for the trip. The agreement was signed to facilitate trade of western U. S. agricultural products to China and Chinese products to the United States. Directors from several western states Departments of Agriculture and trade personnel went on the trip. A significant part of the agreement was that Oregon's laboratories would analyze U. S. products to ensure they meet Chinese standards and similarly China at a logistics center lab would ensure Chinese products meet U. S. standards.

The trip stops included Hong Kong. Hong Kong has a 7 million population and is a very affluent city and a huge international trade city; over 1 billion in U. S. agricultural and seafood exports in 2008. John said his group toured 2 high end retail food supermarkets that had food from all over the world. Hong Kong citizens want U. S. agricultural products because of their high quality.

The tour group visited the Yantian Port; one of the top 5 ports in the world. It is a deep water port and enables access to ships of any size. Yantian has railway and highway connections to the rest of China. Four ships a day go to the United States, 5 per day to Europe and 11 per day to the rest of the world.

Jiangnan Market in Guangzhou city is the largest market in China. Seventy percent of imported fruit is sold through this market. The market ships 500 tons per day of imported produce and 10,000 tons per day of Chinese produce to all parts of China.

The CIQ lab is the Chinese equivalent of the Food and Drug Administration (FDA) in the United States. The regional lab in Zhuhai city has a staff of 47. The lab director was educated at U. C. Davis. The lab uses the finest American and European laboratory equipment. The

laboratory is a member of various international certifying groups. The lab does quality work, however, the question is whether the sampling is representative of the lot in question.

The group toured a lychee fruit orchard and the grand opening celebration of the Food Logistics Center. The center is located in Zhuhai and was a key part of the Oregon-China agreement. The center contains a food analysis laboratory that is scheduled to open in September, 2008, a warehouse area for western U. S. agricultural products, a display area for western U. S. produce and a display for Chinese produce.

The group visited the very luxurious Venetian Macau which resembles many of the casinos on the Las Vegas strip. They had lunch at the Macau Culinary Institute which was excellent. The institute likes and uses U. S. food products.

Finally, John said the trip outlined the huge demand and potential market for U. S. agricultural products in China especially Southern China. He said WUSATA and Al DiStefano with the Nevada Commission on Economic Development are great avenues to utilize in the export of Nevada products.

2. H John O'Brien, retired Plant Administrator, Nevada Department of Agriculture will report on trip to Monterey, CA.

John traveled to Monterey, California for the Western Association of State Departments of Agriculture (WASDA) from July 21 – 24, 2008 and was hosted by A. G. Kawamura, Secretary of the California Department of Food and Agriculture.

The meeting combined discussions of the issues affecting western states' agriculture, agricultural tours and opportunities to interact with commissioners and directors and their staff. WASDA is the western regional group of NASDA, the National Association of State Directors of Agriculture. WASDA lobbies congress on various issues affecting agriculture.

Topics discussed in the meetings:

- Blog and internet information – influences policy with inaccurate and misleading information. For example: the light brown apple moth treatments in California. Blog misinformation reversed Santa Clara County Commission's approval of pheromone treatments despite their safety and specificity.
- Ocean container shortage – the weak dollar increased exports. There is no incentive to return containers empty to the U. S. shipping companies which are protected by antitrust exemption. Therefore, there is little concern about container availability. There is an upcoming Congressional hearing on this issue. Ports do not communicate as to container whereabouts and there is no tracking. Delays are critical for perishable agricultural commodities.

- State reports were presented. Some common topics included budget problems, especially severe in Arizona, Nevada and California. Brucellosis is an issue in the west. New brucellosis bison case in Wyoming and Yellowstone Park.
- Cheatgrass and fire management is an issue in Utah. The state allocated 10 million dollars through various agencies to fight to the problem. Agriculture has 2 million for grants for green stripping program.

John's Nevada report included:

- Nevada's budget situation
- Director's update
- Marijuana program
- Virginia Range Estray Program
- Fire/cheatgrass
- Water issues, especially water to Clark County

The meetings included agricultural tours to Tanimura and Antle Farms in Salinas which represented three generations of farming. During WWII, Tanimura was sent to a Japanese relocation camp. Antle farmed his acres for him and gave them back when Tanimura returned. Tanimura and Antle farm 10,000 acres in the valley together. They grow conventional and organic lettuce and other vegetables. David Peri, Peri Brothers of Yerington, consulted them regarding lettuce production.

2. I Appoint a committee to review and revise the Director's annual evaluation.

This item was tabled on Tuesday, August 26th to be discussed on Wednesday, August 27th because the Board was unclear about the laws governing evaluations for the Director. Board members expressed their desire to review the present form and make changes where necessary to enhance the evaluation process. They wanted the questions to address more completely the Director's performance. Many times in past evaluations, members have had to answer "don't know" and the Board doesn't want to repeat that.

The Board, after discussion, suggested that the Chairman appoint a committee for the purpose of reviewing the existing director's evaluation process to make suggestions to improve the process. It was decided by the Board that volunteers would be acceptable, but at least three-quarters of existing board members should be on the committee. It was decided Chairman Waugh, Ramona Morrison, George Botta, Jim Johnson and Dave Barton would serve on the committee.

The Board requested that Katie Armstrong, Deputy Attorney General review the applicable NRS's and NAC's regarding the Director's evaluation and report to the Board on Wednesday, August 27, 2008.

2. J Conduct the Director's annual evaluation at the first Board meeting of each calendar year.

This item was tabled on Tuesday, August 26th for further discussion following a report by the Deputy Attorney General, Katie Armstrong on Wednesday, August 27th.

3. Director's Report

A. Department Update:

1. Budget Considerations.

The Director advised the Board of budget cuts that the Department has made during this budget preparation period for the FY2010-2011 biennium totaling a reduction 783 thousand dollars per year. He explained that there are factors that the Department cannot control. One of the largest expenses of the budget is compensation for employees. He explained that a newly hired employee with beginning salary of \$30,000 per year will after 30 years employment receive \$75,000 per year. This employee will receive legislatively approved cost of living increases annually as well as annual merit salary increases for a satisfactory performance. This is something that the Department cannot and does not control.

Three administrators have retired during FY2008, including Plant Industry, Livestock Identification and Petroleum Technology. Dawn Rafferty accepted the position of Plant Administrator, vacating her former position as the Noxious Weed Coordinator. Chris Collis accepted the position of Administrator of Animal Industry, vacating his former position. Bill Striejewske was promoted to Administrator, Petroleum Technology Division. The positions they vacated will be lost due to the budget reductions.

The Director told the Board that with budget cuts and the current hiring freeze, he has had to assign additional tasks to employees and they have taken on the additional responsibilities willingly. The morale in the Department is high.

The Department has 90 full time positions and operating on approximately 90% of the general fund dollars it used two years ago.

2. Viticulture

The Director reported that Nevada has four commercial wineries. Grape production requires 25% of the water per unit of land compared to alfalfa, grain or other crop production. Additionally, the value of product produced per unit of land is greater for grape/wine production.

Director Lesperance has been involved in a series of meetings with Larry Ruvo, Southern Nevada Wine and Spirits, the primary distributor of wine in Nevada. Mr. Ruvo has indicated his support for this struggling industry and would like to see Nevada become a major producer of varietal wines. Mr. Ruvo sponsored a meeting of producers, the Director and the Farm

Bureau at his Glenbrook home in July. With Mr. Ruvo's help, this group has been in touch with Phillippe Melka of Spain and France, a world renowned wine expert. Mr. Melka is attempting to coordinate a visit of soil and environmental experts to come to Nevada. The Director said they are trying to secure grant funding to cover the costs of these visits. Mr. Ruvo has established distribution practices to facilitate the sale of wine presently available from Nevada producers. The Director will remain active in the development of Nevada's grape/wine industry.

3. Livestock Impoundment

The impoundment of cattle and horses by the Bureau of Land Management (BLM) in Humboldt County earlier this year has raised questions. The questions have been discussed between Chris Collis, Katie Armstrong, and the Director. A meeting between the Department, the Deputy Attorney General and the State Office of the Bureau of Land Management took place. The resolution to these problems has not been finalized. The Director stated he would not authorize any further brand certificates for impounded animals without the complete approval of all required legal documentation by both the Director and legal counsel.

4. Department of Wildlife

On June 25, 2008, The Director and Dr. Anette Rink visited Mr. John Estill, a Nevada sheep producer, the Cedarville District, California BLM, concerning a proposed conversion of cattle AUM's to sheep AUM's in northern Washoe County. During that meeting, a Nevada Department of Wildlife (NDOW) letter was presented that did not follow the concept of the recently signed Memorandum of Understanding. A subsequent meeting was held between NDOW, the Department of Agriculture which included the Director, Dr. Phil LaRussa, and Dr. Anette Rink, and Dr. David Thain from the University of Nevada. A frank discussion of expectations seems to have solved the problem. Both the Department and NDOW support Mr. Estill's request, however, it will require the BLM's approval before this conversion will be final.

5. SAGE Committee

The SAGE committee (Spending and Government Efficiency) was established by the Governor to advise him and make recommendations

~~5. SAGE Committee~~

~~The Director told the Board that a SAG~~ and he suggested each of the State's Department should do likewise. The Department of Agriculture is one of a few Departments that has successfully complied with this request. The Director said that in order for this group to have freedom of thought, the Director and administrators are allowed to attend these meetings by invitation only.

Sandie Foley, Chairman, gave the following report:

Sandie explained to the Board that the group began meeting in June with the full support of the Director. The committee represents mid-level, non-administrative employees representative of each division. The committee takes this assignment very seriously. The focus is to find ways to streamline the Department's activities and to find ways to save money and work more efficiently.

The committee compiled a list of topics and ranked them in the order the committee would take them. One of the first recommendations we made to the Director was to ensure that all administrators were involved in their respective division's budget building process for the FY10-11 biennium budget. In the past, administrator's were not involved in the process, decisions were made without their approval or knowledge. A plan was implemented wherein each administrator would participate in "budget implementation" meetings at least three times with accounting staff before the final version of the budget is sent to the Governor. The administrators would be able to ask questions, discuss future needs, review spending patterns, spending efficiency, and discuss weak areas that have little or no funding. This plan has been successful and the committee will continue to monitor its progress.

We are trying to use a common sense approach to find solutions. The committee has reviewed fuel costs and wants to promote efficiency. We have recommended that an "in-state travel" calendar be utilized by employees. The employee can post his/her future travel plans on this calendar. This will give other employees an opportunity to travel with that person, or send mail or packages with him/her. We want to avoid two employees, traveling in the same direction or location and using two separate vehicles.

Jeff Knight, State Entomologist, installed GPS units in his fleet of trucks. The initial cost was \$400 - \$500 to install and a monthly fee of approximately \$30.00. The costs were recovered within one year. The units have a positive impact on the management of fuel costs, fleet maintenance, and staff management. GPS units may not be a good investment for everyone, but we want administrators to examine the possibilities.

We have recommended that travel be eliminated whenever possible. We are recommending the use of video conferencing or teleconferencing.

We have recommended that employees turn their computers off completely when leaving for lunch and at the end of the day. Employees are being asked to turn office lights off when leaving their work stations for more than 15 minutes. We are recommending two-sided copying when possible, especially for large projects.

We have recommended that operational manuals for all divisions be developed; the first draft due November 1, 2008. After the completion of the operational manuals, we will begin with Department Policies and Procedures.

An Information Technology Committee was recommended and formed. The Department has the opportunity to avail ourselves to many programs that are free. At the present time, users exceed the available licenses that we currently have. The committee members are Lon Beal, Jeff Knight, Dr. Chris Mason and Scott Cichowlaz (Las Vegas office).

We have recommended that a digital travel form be made available to employees. It will also provide a data base wherein data can be retrieved.

6. Recent meetings

The Director accompanied the Governor Gibbons to Jackpot on June 17th for a joint meeting of the Idaho and Nevada Cattlemen's Associations. The subject of discussion was the "War on Cheatgrass". The Director's summary papers that he had prepared on "Economic Importance of Livestock in Nevada's Cow Counties" and "Fire and Livestock Grazing" were distributed to approximately 75 cattlemen.

On July 29 & 30, 2008, the Director met with the Directors of the Nevada Livestock Association at Pine Creek in Monitor Valley concerning developing philosophy in regard to animal cruelty of range cattle and BLM impoundment procedures.

7. Future plans

The Director told the Board that once the budget process is completed, he intends to spend time developing policy and determining overhead for federal grants. There is little departmental policy covering personnel situations, including travel, compensatory time, overtime, four day work weeks. The Department charges overhead on federal grants for reasonable costs of doing business, based on historically accurate and defensible figures. The overhead currently being charged is not defensible based on the federal guidelines.

8. Summary

The Department of Agriculture is operating at a level of efficiency not seen in many years despite all of the problems associated with the budget reductions. The Department has a staff of dedicated workers who are willing to take on additional assignments that the fiscal problems brought forth.

B. Nevada Board of Agriculture Water Policy Statement

After a short review of the Draft Water Policy Statement, Board member Barnes recalled a recent conversation he and the Director had concerning the proposed monitoring section of the draft.

Harvey Barnes felt, based on that discussion, that more descriptive monitoring wordage be included. Harvey's comments were based on information that Director Lesperance had passed on to him in their conversation. Harvey expressed fear that the Southern Nevada Water Authority (SNWA) could conceivably drill deeper water wells in areas of eastern and southern Nevada, conceivably tapping into the "carbonaceous" aquifer, and ultimately bypassing more surface orientated aquifer that would be of primary importance to the future of agriculture. Harvey further indicated that the linkage between subsurface aquifers and the "carbonaceous"

aquifer was unknown at this time, but was worrisome, certainly at least to the agriculture interests of eastern and southern Nevada.

Director Lesperance said he would add the necessary dialogue to address Harvey's concerns for consideration at the upcoming December, 2008 Board meeting.

4. Division of Administration

A. FY2008 Department summary of revenue and expenditures

Maureen Groach, Administrative Services Officer, reported the closing of the 2008 budget was on track and would close this week. No major problems to report.

B. FY2010-2011 budget summary.

Maureen reported general fund reductions of over \$581,00 per year for the next biennium.

The following positions were eliminated:

Plant Industry/Livestock Inspection:

Agricultural Enforcement Officer 3
Agricultural Enforcement Officer 2 – ½ time
Agriculturist 4 – Winnemucca
Agriculturist 4 – Reno
Agriculturist 3 – Reno

Administration:

Deputy Director
Accounting Assistant I

Wildlife Services:

Biologist

Position moved from general funds to livestock fees:

Plant Industry/Livestock Inspection:

Agricultural Enforcement Officer III

Budget highlights included:

Petroleum – added monies for training classes.
Weights and Measures – added one new position, small equipment, increased reserve.
Administration – moved IT Professional from Animal Health to Administration, added training classes.
Chemistry – asked to purchase over \$500,000 in new and replacement equipment.
Medical Marijuana Registry Program – transferred to Health Department.

Preparing for new building – anticipating 3 months of overlap in current buildings and new building.

5. Division of Animal Industry

A. Brucellosis vaccination

Dr. Phil LaRussa, State Veterinarian, explained the recent brucellosis tag update.

A new official orange color radio frequency identification device (RFID) is available for veterinarians to utilize in the brucellosis vaccination program. It can also function to provide source verification for the Country of Origin Labeling (COOL) program. The RFID costs \$1.50 per tag. The previously offered official orange metal tag with the national alpha/numeric system is still available at no cost for the vaccination.

B. Virginia Range Estray Horses

Dr. LaRussa reported that a helicopter survey was accomplished on August 11, 2008 with the assistance of the Virginia Range Wildlife Protective Association. He said we are still waiting for the GPS tracking document to determine the percent of range observed. The general assumption is that 80-90% of the area was counted. The actual count of 1,448 horses is of concern to the Department because of the need to reduce populations to the appropriate management levels.

Dr. LaRussa said the Department is conducting a health examination project to assess the status of estray horses on the Virginia Range. Birth control is currently being conducted as a portion of this project to reduce the number of horses. The intent is to capture animals for examination, birth control, etc., and then release them to the range after processing.

C. Request permission to adopt as permanent, proposed changes to NAC 571.

A regulation relating to cattle; providing identification, testing and quarantine procedures for cattle to help control and eradicate trichomonosis, revising provisions governing entry of cattle into this State; and providing other matters properly relating thereto. Permanent regulation changes currently under consideration pertain to the inclusion of lease bulls, open adult cows, current protocol for issuance of VS 127, and other industry concerns.

Dr. Larussa reported that workshop and hearings were held on August 12 and August 13, 2008.

Proposal one (1) was to raise the test eligible age for bulls from 8 months to 18 months of age.

Hearing comments:

- Six individuals believed the NAC test requirement should remain at 8 months.
- 18 preferred to modify to 12 months

- 2 were in favor of 18 months
- 2 felt the program to be unwarranted

He said the majority providing input to the hearing process (64%) desired to modify test eligible age from the current 8 months to 12 months. This would fall in line with neighboring states where 7 of 13 (54%) include 12 months in their requirements.

The Department of Agriculture agreed to modify the “test eligible age” as 12 months with the proposed change to the NAC.

Proposal two through five:

- (2) Include lease bulls in the regulation so that every lease transaction is treated like a sale in terms of test requirements.

Hearing results:

- 27 for the proposal
- 1 against the proposal

- (3) Provide testing requirements for stray bulls in addition to estray bulls.

Hearing results:

- 26 for the proposal
- 2 against the proposal

- (4) Change the terminology in the regulation from “quarantine” to “hold order”.

Hearing results:

- 25 for the proposal
- 3 against the proposal

- (5) Replace the requirement for movement of infected and exposed animals under VS form 1-27 to brand inspection and sales receipts.

Hearing results:

- 27 for the proposal
- 1 against the proposal

The Department of Agriculture concurs with the majority opinion and is requesting approval from the Board of Agriculture for said modifications.

Ramona Morrison made a motion to accept changes as drafted to NAC 571.600.

Harvey Barnes seconded the motion. Motion passed unanimously.

Dr. LaRussa explained to the Board that confidentiality requirements have restricted management of trichomonosis investigations. Epidemiologists are required to place movement restrictions and test requirements on premises adjacent to positive herds, however, are not permitted to inform those that are adjacent to the origin of the problem exposure. They are also not allowed to inform the associated veterinarian of the herd restriction. A veterinarian could issue a health certificate due to his ignorance of the disease problem.

Ramona Morrison made a motion for the Department to go to legislature to modify confidentiality requirements to NAC 571.160 to exclude trichomonosis as confidential.

Harvey Barnes seconded the motion. Motion passed unanimously.

D. Pasture to pasture permits

Dr. LaRussa told the Board that requirements for commuter herds will change after California's tuberculosis status is downgraded. He said the Department is currently negotiating three possible changes to reduce program obstacles.

- Suggesting the modification of test eligible age from 6 to 18 months.
- Suggesting a tuberculosis test either 12 months before the interstate move or 30 days post move.
- Suggesting restrictions be placed on the infected area of the proposed split state status and not on the tuberculosis free area of the State.

E. NAHLN Avian influenza regional table top exercise

Dr. Rink reported on the National Animal Health Laboratory Network (NAHLN) Avian Influenza regional table top exercise conducted on July 29, 2008 at the University of California, Davis. All NAHLN members have to participate or host an exercise in 2008. This is part of the implementation of the National Strategic Plan for Pandemic Influenza. USDA had hired CAN Corporation to facilitate these exercises. The facilitators contacted personnel from both states prior to the exercise to establish what type of industries would be affected in each state. The main objective was to establish the nature and extent of coordination between field surveillance and a field task force and the respective laboratories. Whereas, California has a large and diverse commercial poultry industry, Nevada has no commercial poultry industry other than shooting preserves and an unknown number of backyard chicken flocks and fighting chickens.

The scenario developed for the exercise was the detection of highly pathogenic Avian Influenza in a swap meet in Los Angeles and subsequent positive samples from a commercial duck farm submitted as part of California's surveillance system. Two days after the detection, surveillance at the Las Vegas swap meet came up with positive samples. The exercise evaluated surveillance, reporting, state response to a high impact foreign animal disease and collaboration with the USDA and other federal agencies. The incident command system,

FEMA, and emergency management functions were compared and their respective roles in outbreak situations in both states were discussed. Both participating states were able to draw from experiences gained during the 2002/2003 Exotic Newcastle Disease outbreak. For the Animal Disease Lab, the facilitators recommended the acquisition of a bar code sample tracking system to alleviate the data entry bottleneck.

F. Arbo-virus update

Arbo-virus surveillance has proceeded in 2008 at the same levels as in previous years (target is 3,000 samples tested for West Nile Virus (WNV), Western Equine Encephalitis (WEE), St. Louis Encephalitis (SLE) by the end of October. By the end of August, a total of 31 mosquito pools had tested positive for WNV, a significant reduction in infected pools compared to 2006 (139 positive by mid-August), but higher than 2007 (18 positive pools by mid-August). Positive mosquito pools had been detected in Clark, Lyon, Pershing, and Washoe Counties, respectively. Of the 26 birds tested, only 2 crows from Lyon County had tested positive in August. Two equine cases were laboratory confirmed, one case in Washoe County in July, the second case in Carson City in August. So far this summer, all submissions were negative for SLE and WEE.

Dr. Rink told the Board that at the beginning of August, the Nevada State Health Division received a second allotment of \$128,000 under the Center for Disease Control's Epidemiology and Laboratory Capacity Cooperative Agreement. The Animal Disease Laboratory was awarded \$79,935 of this supplementary award (62.5%).

Dr. Rink commented briefly on the current discussion about the planned reintroduction of Bighorn sheep into the Cortez mountains and offered to summarize the Nevada Department of Wildlife's Bighorn Sheep Management Plan for the next Board meeting.

6. Measurement Standards Division

A. Update

Director Lesperance gave a short update on the status of Weights and Measures. He indicated that he felt Weights and Measures was functionally normally and he was covering the ongoing administrative responsibilities of the unit, and would be doing so for the foreseeable future. He said consumer complaints had been taken care of.

B. Comments on the GL Suite program

Director Lesperance briefly discussed the many ongoing problems with the GL Suite program. It was his opinion that the problems with the program may eventually overcome any value that it has, and another avenue of technology support was necessary.

C. Direction of Metrology Lab

Director Lesperance indicated that he was very pleased with the direction that Steve Schultz has been taking the Metrology Lab. He felt that the Department was very fortunate to have a lab as sophisticated as the present lab, and that it is more than capable of handling Nevada's weight and measure problems for the foreseeable future.

D. Cost savings

Director Lesperance said that the training that Steve Schultz has recently obtained will be beneficial to the Department because we now have the capabilities to correctly make weight measurements that we formerly had to send out of state to accomplish. The financial savings to the Department could result in several thousand dollars annually.

E. New staff

The two vacant positions in Las Vegas have been filled, and training is commencing. All positions at both Sparks and Elko are filled.

F. CIP project

Rob Fisher, Weights and Measures staff employee is enrolled in the State's Certified Public Manager program. As such, his required project is to enhance the Weights and Measures data base by seeking the assistance of other agencies in Nevada. He has received the cooperation from the Department of Taxation thus far. His efforts will definitely improve the Department's data base, statewide, resulting in a more complete level of compliance in regard to testing measurement devices.

7. Petroleum Technology Division

Bill Striejewski introduced himself to the Board and told them he recently replaced Vernon Miller as the Senior Petroleum Chemist. He said he has worked for the Department since November, 2002, the entire time in the Petroleum Lab. Vernon had shared a certain amount of policy and legislative information with Bill and he said that he is still learning the position.

He advised the Board that both chemist positions in Las Vegas were filled and that a chemist from Plant Industry was reassigned to Petroleum. She has just started and will replace his position in the lab.

He said he will be talking to the Board about various legislative issues that Vernon was working on and that he will continue to work on.

A. Information regarding SB324, Establishing a Fuel Variance Procedure

Bill said a workshop was held in Reno and various permutations of language have been presented. The most current version of the language is included in the Board packet. It represents language from the Western States Petroleum Association (WSPA). A second workshop will be held on September 4, 2008 in Las Vegas and hopefully the language will be

tightened up so the Department can go to hearing. Chairman Waugh asked whether action would be taken on this and the other items at the next Board meeting and Bill replied that was his goal.

B. Information regarding R111-08, Gas-Ethanol Blends

Bill told the Board that renewable fuel standards allowed up to 10% ethanol in gasoline. This sets regulations for blends of between 9 and 10%. Bill is trying to schedule a hearing so all concerned parties can attend, probably in mid-October. Bill included several attachments in the Board packet in the spirit of providing full information. The attachments are proposed language submitted by Vernon Miller, suggested language by WSPA and by Herman & Associates, and comments by stakeholders. Chairman Waugh expressed his appreciation for the inclusion of the attachments as it provided full information for the Board.

Bill said he is close to final language on this and a hearing. All concerned parties are close in their thinking, however, the Automobile Makers Alliance doesn't agree.

C. Information regarding R210.08, Change Specifications to Biodiesel

The NAC 591.051 still refers to biodiesel specifications by the "provisional spec" that was assigned by American Society for Testing Materials (ASTM) years ago. The provisional spec has now been replaced by a regular standard. The legislative action is to correct that wording. Bill said he anticipates it will be straight forward and handled in short order.

6. A Weights and Measures

Steve Schultz, State Metrologist, gave his presentation to the Board on metrology. There are three echelons of calibration certification that the laboratory may be authorized to provide customers by the National Institute of Standards and Technology (NIST): Echelon I, very fine accuracy; Echelon II, fine accuracy; Echelon III, medium accuracy. He said the Department's scope is presently recognized for Echelons II and III, however, the chief metrologist recently attended the Advanced Mass seminar at NIST, Gaithersburg, MD. After the successful completion of his laboratory auditing problems, the scope will be extended to include Echelon I calibrations at the Sparks facility.

Steve said there is a small facility and a trained metrologist at the Las Vegas office capable of servicing 5 gallon measures (for fuel dispenser testing), 25 and 50 lb hand weights, and 500 and 1,000 lb cast iron weights used for testing large capacity platform and truck/livestock scales.

The main Sparks laboratory has in the past two years gone from completely mechanical balances to completely digital mass comparators. The digital comparators have significantly reduced our stated uncertainties in mass measurement to enable us to add Echelon I calibrations to our scope. The old mechanical balances are adequate for Echelon III level work and are being held until the Las Vegas office is able to expand their small metrology room and convert to a more environmentally stable and physically secure area conducive to

these calibrations. Currently, Las Vegas customers that need a calibration facility other than those just mentioned, either have to send their equipment to the Sparks laboratory or, in many cases to Arizona's state laboratory. Los Angeles County has reopened their facility and is another alternative for Las Vegas customers.

The Nevada Department of Transportation (NDOT), private industrial laboratories, Registered Service Agencies (RSA's) that repair and adjust scales, fuel pumps, propane dispensers, heating oil and fuel delivery vehicles as well as all equipment used by State Weights and Measures Inspectors, all have their equipment tested and calibrated at our laboratory. The State of Utah submits their propane prover to us for testing and certification.

8. Resource Protection Division

Program Update:

Mark told the Board the Nevada Western States Conference was held last week in Lamoille Canyon. The meeting was well attended with speakers from within the State and others. Director Lesperance attended and spoke to the group. Dr. Anette Rink spoke to the group about domestic sheep and Bighorn sheep. Chuck Moses provided some pesticide testing.

Mark advised the Board that a new federal pilot was hired to fill the vacant Winnemucca position. His name is Jerry Jacques and he is currently in training at the aviation training center in Cedar City.

Mark attended the NDOW Commission meeting in Eureka in August. The budget for predator management services that Wildlife Services provides to the Nevada Department of Wildlife (NDOW) was approved for approximately \$391,000.

Avian influenza testing is going on again this year. Wildlife Services is cooperating with NDOW and all samples are being sent to Dr. Rink.

B. Southern Nevada Water Authority

Mark gave the Board a short background on the Southern Nevada Water Authority (SNWA) and their request for predator management. In the past, the Board has advised Wildlife Services that the SNWA should be treated like NDOW and the SNWA should pay for service. A lengthy discussion ensued as to the tax exempt status of SNWA. Board member Vogler requested an Attorney General's opinion as to the tax exempt status of SNWA and Director Lesperance stated the Department would not provide service until more information was provided by the Attorney General's office.

Name of Organization: Nevada State Board of Agriculture

Date and Time of Meeting: August 26, 2008 at 8:30 am
August 27, 2008 at 8:30 am

Place of Meeting: Nevada Farm Bureau
2165 Green Vista Drive, Suite 205
Sparks, NV 89431
1-800-992-1106 or (775) 674-4000

Minutes

August 27, 2008 at 8:30 am

The meeting was available by videoconference at the following locations:

University of Nevada Cooperative Extension
8050 Paradise Road – Room A
Las Vegas, NV

University of Nevada Cooperative Extension
1500 College Parkway
Greenhaw Technical Art Center (off Elm Street) – Room 124
Elko, NV

Humboldt Extension Office
1085 Fairgrounds Road
Winnemucca, NV

White Pine Extension Office
995 Campton Street
Ely, NV

1. Call to order by Chairman Lawrence Waugh

The meeting was called to order by Chairman Lawrence Waugh at 8:30 am. Chairman Waugh asked for the introduction of Board members, staff and guests.

Board Members Present

Harvey Barnes
Dave Barton
Dave Cassinelli
Dan Hetrick
Hank Vogler
Ramona Morrison
Alan Perazzo
Lawrence Waugh
Jim Johnson

Staff Members Present

Holly Pecetti
Dr. Anette Rink
Dr. Phil LaRussa
Tony Lesperance
Katie Armstrong
Sandie Foley
Chuck Moses
Jeff Knight
Chris Collis
Peggy McKie
Dawn Rafferty

Board Members Absent

Marta Agee
Benny Romero

Guests

Nancy Lesperance
Doug Busselman – Farm Bureau
Dennis Hellwinkel – Farm Bureau
Don Alt – Diamond A Ranch
Matt Leck – Southern Nevada Water
Dr. Rang Narayanan - CABNR
Dean Baker
David Thawley, Dean CABNR
Ron Cerri
Frank Rauscher (sp)
Willis Lamm
Meghan Werely

2. E David Thawley, Dean, UNR College of Agriculture

Dr. Thawley told the Board he appreciated the opportunity to be at the meeting to talk about the College of Agriculture. He said UNR has enjoyed a close working relationship with the Nevada Department of Agriculture (NDOA in many areas and include:

- feral horse conception
- livestock disease research
- Bighorn sheep
- curriculum development for UNR degree programs
- career fair for recruiting UNR students for state/federal/jobs

He talked about the UNR Main Station Farm saying that an easement that is being talked about could be the one thing that secures the farm from any future sale. Under the current administration, he said he feels that the farm will probably remain intact.

Dr. Thawley said that Dr. Marc Johnson, the new Provost, spoke to the Board at the May Board meeting and he indicated that the Board would like to know more about our research programs. Dr. Thawley said he would be happy to arrange one or two short presentations by

his faculty at a Board meeting. Director Lesperance's office could coordinate with Dr. Rang on scheduling these presentations.

Dr. Rang announced that there will be an open house at the Main Station on September 20, 2008. There will be tours and all are invited.

2. I Appoint a committee to review and revise the Director's annual evaluation.

Harvey Barnes made a motion that the Board go with the committee as discussed in yesterday's meeting to review the annual evaluation of the Director.

Dan Hetrick seconded the motion. Motion carried with one dissenting vote by member Hank Vogler.

2. J Conduct the Director's annual evaluation at the first Board meeting of each calendar year.

Katie said she reviewed Nevada Revised Statutes and Nevada Administrative Code for anything pertaining to the evaluation of a Department Director. She said there was nothing specific to a "director" however, it is code that State employees are evaluated each year. Therefore, it is her opinion that the director, as a state employee, should be evaluated.

Dave Cassinelli made a motion to proceed with the annual evaluation. Jim Johnson seconded the motion. Motion passed unanimously.

9. Plant Industry Division

A. Update

Dawn said she has been doing "housekeeping" for the division. She has requested updated NPD 14's (Employee Work Performance Standards) and 15's (Employee Appraisal and Development). She has also updated the organization chart for Plant Industry.

She told the Board that a Records Retention class was held in Reno and well attended by NDOA employees. The class was intended to assist in the moving files/records to the new building. Another class is planned for late fall or early winter.

Dawn reported that the USDA Specialty Crops Block Grant has extended an additional funding period subsequent to the passing of the Farm Bill. This funding will be used to supplement the 2008 subgrantees. This funding will be helpful to the growing viticulture industry in Churchill County. Nevada will be eligible for regular funding next year.

B. Letter of appreciation

Dawn asked the Board members to read the appreciation letter received by Dr. Lesperance from Ann Louhela, Executive Director, Nevada Certified Farmers Market Association.

On Saturday, June 28th, Peggy McKie, Jeff Knight, Robert Little and Dawn Rafferty set up a demonstration booth at the grand opening of the Whole Food Market in Reno. Ms. Louhela's letter said the booth was mobbed by people the entire time and for several hours, Plant Industry staff fielded questions about Nevada agriculture, gardening, and landscaping. She expressed her pleasure and honor for the opportunity to work with the staff and "all the wonderful things they do".

C. 2008 Summary of current insect surveys.

Jeff said the entomology staff surveyed eight species of invasive insects in 2008 which included:

- European & Asian Gypsy Moth
- Japanese Beetle
- Imported Fire Ant
- Light Brown Apple Moth
- Emerald Ash Borer
- Sirex Wood Wasp
- Various Other Wood Borers
- Chili Thrips

Jeff included maps showing survey information for the eight species.

D. EPA quarterly report

Chuck gave a summary of his quarterly Environmental Protection Agency report. Several enforcement activities took place and were listed in Chuck's report. He told the Board that the division held an administrative hearing to suspend certification credentials for all Clark County School District employees who certified during a time period when it was suspected that one or more employees had copies of the Department's test and/or answer sheets. This is one of many corrective actions that took place during the quarter.

Chuck credited the Las Vegas staff for completing a large number of pesticide related inspections so that the division was able to complete FY 2008 inspectional commitments with one month left in the federal fiscal year.

Chuck reported on a new project with the Rocky Mountain Poison Control Center (RMPCC). He said the division gets monthly summaries and he gave an overview of that data received for July, 2008.

- 85 poison calls received for one month.
- 56% involved ingestion of a pesticide product. (most pesticide poisonings occur from dermal exposure.
- 44% were via inhalation or dermal means.
- during other seasons, (spring, fall and winter) rodenticides are usually the pesticide type involved.

- 55% of poisoning calls involve children.
- 52 out of 85 incidents occurred in Clarks County.
- 12 out of 86 incidents occurred in Washoe County.

Certification training and testing programs were held:

- Duck Valley Tribe on April 23 and 24
- USDA Elko May 7 and 8th
- USDA Forest Service on May 20
- Bureau of Indian Affairs on May 14
- Las Vegas on May 28

Chuck said the division is now giving tests in Elko and will give individual tests as needed. Training programs are offered online on the Department's web page. He said the division will travel anywhere needed if there is no other way for people to get trained and certified.

Chuck said monthly fire extinguisher checks are being made and that he will have a fire extinguisher training presentation at the next safety meeting. New paint was put down on the parking lot at the main NDOA building in Reno to limit a few parking spots for compact cars mainly because of safety issues. The bi-annual safety report was submitted to Risk Management in August.

State Fire Marshall inspections took place on the Gomez Building and the main NDOA building in Reno. Compliance plans were developed and employees were notified through e-mail to correct violations. Compliance plans were sent to the Fire Marshal's office and copies mailed to the building owners. Evacuation plans for the Las Vegas office were modified and sent to Las Vegas. A fire drill was conducted at the Las Vegas office on June 17.

Parking lot speed limit signs were posted on parking lot fence, Reno main office on May 23, 2008.

E. Summary of Workshops and Hearings on certifications regulation changes.

1. LCB R148-08: NAC 555.690 – 25.00 penalty for lost, stolen or destroyed cards.
2. LCB R147-08: NAC 555.410.5 – suspension of monthly RUP report
3. LCB R146-08: NAC 555.670 – 6 month wait period for person caught using an unauthorized testing aid for certification test.

No action taken by the Board as the items were denoted as "informational". These will be an action items for the next Board meeting.

F. Request for adoption of regulations LCB File Number R156-08: a regulation relating to agriculture; establishing a series of administrative fines for violation of NAC 555.125.

Jim Johnson made a motion to accept the adoption of regulations as specified for LCB File No. R156.08, NAC 555.125.

Harvey Barnes seconded the motion. Motion carried unanimously.

G. Request adoption of regulations LCB File Number R168-08: a regulation relating to agriculture; establishing a requirement that balled-and-burlap nursery stock be labeled as such to distinguish it from container-grown stock.

Jim Johnson made a motion to adopt Item G as stated. Harvey Barnes seconded the motion. Motion carried unanimously.

H. Request adoption of regulations LCB File Number R079-08: a regulation relating to agriculture; establishing a requirement that container-grown stock be well-rooted in the container at the point of sale such that the rootball is sufficiently developed to stay reasonably intact on removal from the container in which it is being sold.

Harvey Barnes made a motion to adopt Item H as stated. Dave Barton seconded the motion. Motion carried unanimously.

I. Discussion of and possible decision to pursue requiring shippers of nursery stock located in other states to notify the Nevada Department of Agriculture prior to shipping nursery stock into Nevada.

Jim Johnson made a motion to get the Board's support to investigate and make a requirement to list stock coming into State and examine the stock before it gets here.

Harvey Barnes seconded the motion.

Jim Johnson moved to have Plant Industry investigate further with assistance from the Attorney General's office to craft language.

Harvey Barnes seconded the motion. Motions carried unanimously.

10. Livestock Identification Division

Staff update:

Two Agriculture Enforcement Officers, Bob Helfrich (Winnemucca) and George Stipes (Las Vegas) were laid off.

Blaine Northrop was moved from Budget 4540 (Animal Industry) to 4546 (Ag. Enforcement) and his position in 4540 was lost.

Chris was moved from Acting Administrator to Administrator and his previous Ag. Enforcement Officer position was lost.

2008 Brand Book

Brand books were finished by State Printing on August 11, 2008. The brand books sell for \$35.00 (940 copies were presold) and our cost is \$17.00 per copy.

Livestock Head Tax Update

Chris advised the Board that on May 1, the division sent out 5,300 Declarations. The 2nd mailing was in June with 1,939 Declarations. The third and final mailing was made on August 15. As of last week, the division collected \$137,138.45 in head tax. In the middle of September, the division will publish a list of producers that have paid. Chris said the Department can refuse brand inspections to those producers who have not paid.

BLM Impound

Chris said in his capacity as a District Brand Inspector, he has been sent to inspect livestock at every BLM impound that has taken place in Nevada for the past 30 years. It was not a pleasant job and one that left him feeling empty. He said he has been a loyal employee and has followed the instructions that were passed down from the Attorney General office to his Administrator and then to him. He said he always asked for these instructions to be put in writing.

A few years ago, the Department made a change to NRS 565.125 which requires a governmental entity (BLM) to obtain approval of seizure from a court of competent jurisdiction and submit a copy of the order approving the seizure to the Department.

In November, 2007, the Battle Mountain BLM conducted a wild horse round-up in Austin. The BLM gathered several branded horses. They had years of trespass documentation and wanted to impound the horses. Chris was able to refuse and the former administrator, Jim Connelley, backed Chris 100%. The horses were returned to the owners – the BLM did not have a court order.

Chris had numerous examples of Demand for Payment letters from the Bureau of Land Management involving horses and cattle.

On August 15, 2008, a meeting was held with the Bureau of Land Management, the Director, Chris Collis and Deputy Attorney General Katie Armstrong. The problems that NDOA was having with BLM's impounds was brought to their attention, more specifically:

- BLM's application of the Judge's Court Order to producers who have not had their day in court. BLM reluctantly agreed that their charges were applied the same to all individuals. The acting District Manager of the Winnemucca field office made the comment that "he was being a nice guy and not dragging everybody into court".
- Dr. Lesperance made it clear that without a court order, the NDOA would refuse brand inspections.

- There was discussion regarding the constitutionality of NRS 565.125. The Department's position is that until that law is challenged, that is the law we will live by.
- Communication and apprising them of our concerns was good.

B. Livestock Welfare and Cruelty to Animals

Chris expressed his thoughts to the Board on the urgency of the Department to implement policies regarding animal agriculture abuse. He recently met with Dr. J. J. Goicoechea in Eureka with approval of the Director. It was decided at this meeting that when a complaint is received or a report of cattle in poor condition, the following steps would be taken:

- Form a committee consisting of the county sheriff or his designee, a licensed veterinarian, the district brand inspector or his designee, and a member from the livestock industry.
- Committee will assess the situation and the livestock.
- State veterinarian sends a certified letter to the livestock owner apprising him of the situation and the consequences if the matter isn't resolved.
- Sheriff will direct the appropriate action when the veterinarian determines whether or not a violation has been committed.

Chris and Dr. Goicoechea both felt that these policies should have the approval of the Director of the Department of Agriculture, the deputy attorney general, Nevada Farm Bureau, Nevada Stockmen's Association and the Nevada Cattlemen's Association. Chris would like the Department to take a proactive roll before other organizations put pressure on state and national legislators and secure authority over these animals. The Department could be open to criticism if action isn't taken.

Chris told the Board another area to should be addressed is the selling, offering to sell or exposing a diseased animal.

C. National Animal Identification System

Chris spoke about the NAIS system and how it was conceived to track animal movements within 48 hours in the event of an outbreak of animal disease. He said the catalyst for NAIS was 9/11, anthrax, Foot and Mouth Disease (FMD) in the United Kingdom and the "Christmas Cow", a single Canadian dairy cow which entered the state of Washington along with 81 other cows and was found to have bovine spongiform encephalopathy (BSE) on 12/23/03. Because there wasn't an adequate trace back system, only 29 of the 81 cows could be identified and agriculture officials were forced to oversee the destruction of more than 250 animals from 10 different herds. The impact was dramatic; U. S. beef exports plummeted and sales have yet to return to levels prior to 2003.

In 2004, the USDA developed NAIS. It was intended to be mandatory program, but quickly became a voluntary program because of complaints from the industry. The program consists of three parts: 1) premise registration; 2) animal identification; 3) tagging. This was done by contract between the USDA and NDOA through the office of the State Veterinarian.

Chris said the reason he is bringing this to the Board is that USDA commissioned IntelliDyne to report on the National Brand States and the NAIS interoperability and data access. The recommendations that came from that report strongly suggests USDA's involvement and updating state and federal laws. Chris said he appreciates the need for rapid trace back in the event of disease outbreak. Age and source verification are becoming important marketing tools. However, he feels that this program should be industry driven and not federally mandated.

D. Abandoned Horses

The Department is given authority under NRS 569 to deal with estray livestock. Estrays are defined as livestock running at large upon public or private lands in the State of Nevada, whose owner is unknown in the section where the animal is found. Abandoned horses fit this category. NRS 569.010 gives the Department authority to dispose of the strays by sale. And that is what is usually done in Northern, Central and Western Nevada.

The Department has the authority to dispose or place the strays through cooperative agreements. In Southern Nevada, the Department places the estray or abandoned horses with Clark County Animal Control and other animal rescue groups. In the North, we place animals when possible, and try to recover advertising costs and other costs associated with the estray process. Since the first of this year, the Department has processed 54 stray horses. Last week, a colt was dropped off of I80 near Starr Valley-Deeth and another in Rydon. The photos in the packet are of 4 horses abandoned in Meadow Valley Wash. The sorrel horse in the pictures has been shod. The Palomino and the Sabino were left in the Railroad Pass area and show their bridle paths growing out. These horses will be gathered by ranchers or the BLM.

11. Department employee comments and suggestions to the Board of Agriculture.

No employee comments.

12. Public Comments

Public comments were made by Willis Lamm, Alliance of Wild Horse Advocates, Don Alt, Diamond A Ranch, and Doug Busselman, Farm Bureau.

13. Travel claims and salary

No discussion

14. Date of next meeting

Harvey Barnes made a motion to have the next Board of Agriculture meeting in Las Vegas on December 9 and 10, 2008.

Hank Vogler seconded the motion. Motion passed. Member Cassinelli cast a no vote.

15. Adjournment

Ramona Morrison made a motion to adjourn the meeting. Lawrence Waugh seconded the motion. Motion passed unanimously.