

MEETING NOTICE AND AGENDA

Today's Date: November 23, 2009

Name of Organization: NEVADA STATE BOARD OF AGRICULTURE

Meeting Time: December 8, 2009 @ 8:30 am
December 9, 2009 @ 8:30 am

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

Tony Lesperance, Director

This meeting will be available by video-conference in Las Vegas and Elko at the following locations:

Nevada Department of Agriculture
2300 McLeod Street
Las Vegas, NV 89104-4314
Telephone: (702) 668-4590

Nevada Department of Agriculture
4780 E. Idaho Street
Elko, NV 89801-4672
Telephone: (775) 738-8076

AGENDA

The following items will be discussed and acted upon, but may be taken in different order to accommodate the interests and time limitations of persons attending.

1. **Call to order by Chairman Alan Perazzo.**
 - A. Pledge of Allegiance
 - B. Introduction of Board members, attendees and guests.

2. Board Business

- A. *Approval of minutes from the September 29 and September 30, 2009 Board meetings. (Foley) **Action**
- B. Oath of Office for new Board member Dave Stix, Jr. (Armstrong) **Action**
- C. Update regarding the impact and legality of Nevada Department of Wildlife's (NDOW'S) wildlife guzzlers on the vested and certified stock water and irrigation water rights. (Ramona Morrison and Brent Eldridge) **Information**
- D. Establishment and approval of a Board of Directors for the Fairgrounds. (Tony Lesperance, Louie Test, and Bill Henry) **Action**
- E. Request that the Nevada Board of Agriculture directs the Department to evaluate the impact that current NDOW management decisions may be having on historic livestock production. (Vogler) **Action**
- F. *Initiate an inquiry to determine if applicable federal and state laws were followed in the establishment of the 66.2 million dollars becoming available for the Walker Basin Restoration Program, including 25 million dollars for a three-year demonstration water leasing program to be administered and managed by the Walker River Irrigation District. (Lesperance) **Action**
- G. *Review the current status of the directive concerning potential loss of irrigation waters to quasi-municipal needs or environmental needs. (Lesperance) **Information**
- H. *Request to disburse monies pursuant to NRS 562.170 and NRS 567.110 to Woolgrower's Association and Predatory Animal and Rodent Control. (Vogler) **Action**
- I. Information on Truckee Canal and water in Lahonton Valley. (Perazzo) **Information**

Note: Item 2.I will be presented Wednesday, December 9, 2009.

3. Director's Report (Lesperance)

- A. *Director's report **Information**
- B. *Consideration and possible approval of the Memorandum of Understanding by the Nevada Partners for Conservation and Development regarding the need for increased efforts in management and restoration of sagebrush communities in the Great Basin. (Lesperance) **Action**

4. **Resource Protection Division** (Jensen) **Information**

A. *Division Update

5. **Division of Administration** (Scheid) **Information**

A. Fiscal update

6. **Livestock Identification Division** (Collis) **Information**

A. Division updates

1. New hire, Richard Allegre, Fallon **Information**
2. *Statewide Head Tax paid list to all Deputy Brand Inspector with Letter of of Instruction. **Information**
3. Division Enforcement Officers completed Training – Qualifications and Defensive Tactics. **Information**
4. Lt. Northrop's October arrest in O'Neil Basin. **Information**

B. Special Sales (Collis)

1. *Nevada Board of Agriculture (NBOA) and Nevada Cattlemen's Association NCA presentation. **Information**
2. *NAC 565.230 and NRS 573.170 **(Information)**
3. *Weekly & special sales summary tables **(Information)**
4. *Special Sales Costs & Bills **(Information)**
5. *Regular Sales Costs **(Information)**
6. *Letter for Brand Inspection Request for Special Sales **(Information)**
7. *Request the Board of Agriculture to require a Brand Inspection Request for Special Sales. **(Action)**
8. *Copies of Billings **(Information)**
9. Request to terminate/suspend services at sales yards pending payment of overdue bills. **(Action)**
10. Presentation by Jack Payne, Nevada Livestock Marketing. **(Information)**

7. **Measurement Standards Division**

A. Presentation by Lon Beal, Administrator for Measurement Standards Division. An informational presentation of the Division; its responsibilities and how they are accomplished. **(Information)**

8. **Petroleum Technology Bureau** (Striejewske)

Note: Items 8A thru and including 8F will be heard Wednesday morning, December 9, 2009.

- A. *Presentation and discussion of scientific data and decision concerning the 38th Parallel. **Information**
- B. Request to go to workshop and hearing to adopt as permanent, proposed changes to NAC 590.065, pursuant to Item A. **Action**
- C. *Request permission to adopt as permanent, proposed changes to NAC 590.065 (LCB File No. R111-08).
 - 1. *Updating the regulation as it pertains to gasoline-ethanol blends. **Action**
 - 2. *Clark County's Department of Air Quality and Environmental Management (DAQEM) request to increase the wintertime RVP maximum. **Action**
 - 3. *Request to remove the prohibition to manganese in gasoline. **Action**
 - 4. *Updating the allowed sulfur maximum. **Action**

Note: Items 8.C.1, 8.C.2, 8.C.3 and 8.C.4 are included under Tab 8C in Board packet.

- D. *Request permission to adopt as permanent, proposed changes to NAC 590.051 (Biodiesel regulations). (LCB File No. R209-08) **Action**
- E. *Gasoline Supply Variance Procedure approved by Legislative Commission. (LCB File No. R010-09) **Information**
- F. Update on labs in Reno and Las Vegas. **Information**

9. **Plant Industry** (Rafferty)

- A. Division Update **Information**
- B. *EPA Quarterly Report **Information**
- C. *Other Program Updates **Information**
- D. *Noxious Weed Update **Information**

10. Animal Industry

- A. Request to go to Workshop and Hearing with proposed changes to NAC 571.600 – 668. The proposed change is to allow one RT-PCR test as an option to the 3 in-pouch tests that are presently specified in the NAC. (LaRussa) **Action**
- B. Request the Board's opinion and/or approval on the penalties for violations and the need for modification on NRS 571.250 through the bill draft request process. (LaRussa) **Action**
- C. USDA Brucellosis and Tuberculosis updates. (LaRussa) **Information**
- D. T. fetus RT-PCR (Rink) **Information**
- E. *Request approval from the Board of Agriculture to approve the proposed ADL fee schedule for 2010 which includes fee increases and new fees. (Rink) **Action**
- G. AHA/AAVLD update. (Rink) **Information**
 - 1. Rabies
 - 2. Bighorn Sheep Working Group
 - 3. Parasitology Committee
 - 4. Emerging infectious diseases

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

12. Public Comments **Information**

Public comment during the Board meeting will be for all matters, both on and off the agenda, and be limited to two minutes per person. Additionally, public comment of two minutes per person will be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that agenda item at the Board meeting.

The Chairman and the Board of Agriculture intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks, slander, threats of violence, and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of the public body to maintain the decorum and to declare a recess if needed to remove any person who is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings.

The Nevada Board of Agriculture can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During public comment period, speakers

may address matters listed or not listed on the published agenda. The Open Meeting Law does not expressly prohibit responses to public comment by the Board. However, responses from the Board to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Board will consider, Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for staff action, or ask that a matter be listed on a future agenda.

13. Date of next meeting. Action

14. Adjournment Action

Anyone desiring further information or explanation of the above agenda items may call Sandie Foley at (775) 353-3619 during the hours of 8:00 a.m. - 5:00 p.m.

* Denotes supporting documents in the Board packet.

(ACTION) indicates that the Board needs to take action on an item. **(INFORMATION)** indicates an information item for the Board. Please ensure that ACTION items have accompanying information for the Board members to review.

NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please call Sandie Foley at the Nevada Department of Agriculture (775) 353-3619 as soon as possible.

This Notice of Meeting has been posted at the following locations:

Sparks Office

Nevada Department of Agriculture
405 S. 21st Street
Sparks, NV 89431

Elko Office

Nevada Department of Agriculture
4780 E. Idaho Street
Elko, NV 89801-4672

Sparks Office

Nevada Department of Agriculture
2150 Frazer Avenue
Sparks, NV 89431

Las Vegas Office

Nevada Department of Agriculture
2300 McLeod Street
Las Vegas, NV 89104-4314