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DEPARTMENT OF AGRICULTURE

405 South 21st Street
Sparks, Nevada 89431

MEMORANDUM

TO: Nevada Department of Agriculture Offices
State Capitol Building
State Library and Archives
Dennis Belcourt – AG's Office

FROM: Robert Little, Plant Industry Division Administrator – 775-353-3729
rlittle@agri.nv.gov Fax Number 775-353-3661

SUBJECT: Posting of Agenda for Workshop Scheduled for Monday, October 17, 2016, at 1:00 pm.

DATE: September 29, 2016

I have attached a copy of the agenda for the Nevada Department of Agriculture Workshop that will be held on Monday, October 17, 2016, at 1:00 pm.

Please post the agenda for NAC 552, before 9:00am, on September 30, 2016, per *open meeting law* and return this memo to my attention, signed with the date of posting, as I need this for our files.

We appreciate your assistance in this posting.

Distribution: State Capitol Building
State Library and Archives
Dennis Belcourt – AG's Office
Sparks Office – Nevada Department of Agriculture
Las Vegas Office – Nevada Department of Agriculture
Elko Office – Nevada Department of Agriculture
Consumer Equitability – Department of Agriculture

OFFICE: _____

SIGNATURE: _____

DATE & TIME OF POST: _____

MEETING NOTICE AND AGENDA

Public Hearing
Notice of Workshop

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

Video-conference to: Nevada Department of Agriculture
2300 E. St Louis Avenue
Las Vegas, NV 89104
Phone 702-668-4590

Nevada Department of Agriculture
4780 E. Idaho Street
Elko, NV 89445

DATE AND TIME: Monday, October 17, 2016, at 1:00 pm.

Public comment will be taken on the intent to adopt a regulation. The purpose is to solicit public comments from interested persons on the following proposed regulation: NAC 552; *a regulation relating to Unlawful removal of diseased bees without permit, and providing other matters properly relating thereto.*

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 notify The Dept. of Agriculture in writing at 405 S. 21st Street, Sparks, NV 89431 or contact Jerri Conrad at 775-353-3619.

Copies of both the State of Nevada Board of Agriculture Agenda with supporting documentation and Open Meeting Minutes are available, at no charge, for inspection at the Dept. of Agriculture 405 S. 21st Street, Sparks, NV, 89431 or Dept. of Agriculture website at <http://agri.nv.gov/>. For additional information contact Jerri Conrad at 775-353-3619.

Notice of this meeting was posted on or before 9:00 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, 2150 Frazer Ave., Sparks, NV 89431, Nevada Department of Agriculture, 4780 E. Idaho Street, Elko, NV 89801, Nevada Department of Agriculture, 2300 E. St Louis Avenue, Las Vegas, NV 89104, State of Nevada Capital Building, Carson City NV, State Library and Archives, Carson City

**PROPOSED REGULATION OF THE
NEVADA DEPARTMENT OF AGRICULTURE**

LCB File No. _____

DIVISION OF PLANT INDUSTRY

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATION

The Nevada Department of Agriculture, 405 South 21st Street, Sparks, Nevada, 89431, is proposing the Amendment of regulations pertaining to chapter NAC 552, of Nevada Administrative Code. A workshop has been set for Monday, October 17, 2016, at 1:00 pm. The workshop will be video conferenced between the following offices:

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

Nevada Department of Agriculture
2300 E. St Louis Avenue
Las Vegas, NV 89104

Nevada Department of Agriculture
4780 E. Idaho Street
Elko, NV 89445

The purpose of the workshop is to solicit comments from interested persons on the following general topics that may be addressed in the proposed regulations:

“Unlawful removal of diseased bees without permit “

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting:

Ruth Tietjen, Administrative Aid
Plant Industry Division
Nevada Department of Agriculture
405 South 21st Street
Sparks, NV 89431
(775) 353-3670
rtietjen@agri.nv.gov

A reasonable fee for copying may be charged.

This Notice of Workshop to Solicit Comments on Proposed Regulation has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations:

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

Nevada Department of Agriculture
2300 E. St Louis Avenue
Las Vegas, NV 89104

Nevada Department of Agriculture
4780 E. Idaho Street
Elko, NV 89445

State Capitol Building
Nevada State Library and Archives, 100 N. Stewart Street, Carson City, NV
Dennis Belcourt – AG's Office
LCB website: www.leg.state.nv.us
Nevada Public Notice website: www.notice.nv.gov
Nevada Department of Agriculture Website: www.agri.nv.gov

NAC Removal of diseased bees without permit unlawful. (NRS 552.280)

1. *In the quarantine area established by NAC 554.805, all bee swarms or colonies are deemed to be "diseased".*
2. *A person shall not collect, relocate, transport or by any means remove diseased bees in a quarantine area without a permit.*
3. *A person may obtain a permit to collect, relocate, transport or remove diseased bees in a quarantine area if they:*
 - a. *Complete an application as required by the Director; and,*
 - b. *Show proof of appropriate liability insurance; and,*
 - c. *Pay the fees in subsection 4.*
4. *The Department may charge an applicant for a permit the following fees:*
 - a. *A fee not to exceed \$15.00 a year for the permit.*

SMALL BUSINESS IMPACT STATEMENT AS REQUIRED BY NRS 233B.0608

(Revised LCB# R???-16)

1. A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

- The NDA contacted every Nevada licensed Pest Control Operator (PCO) or honey producer regarding the removal of diseased bees without a permit. Information was available on the website of the Department of Agriculture, www.agri.nv.gov and posted at the following locations:

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

Nevada Department of
Agriculture
2300 East St. Louis Ave.
Las Vegas, NV 89104

Nevada Department of
Agriculture
4780 East Idaho St.
Elko, NV 89801

2. The manner in which the analyses was conducted.

- This regulation was caused by the death of an individual that occurred during the removal of diseased bees in violation of existing statute.

3. The estimated economic effect of the proposed regulation on the small businesses it is to regulate, including, without limitation:

- These regulations will have a minimal economic impact. The proposed fee for the permit is fifteen dollars.

4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

- The impact is insignificant and the fee is to cover the agencies cost to issue a permit.

5. The estimated cost to the agency for enforcement of the proposed regulation.

- No additional costs.

6. If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

- The proposed fee will generate up to \$600.00 to issue the permits.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

- This regulation requires that the applicant demonstrate the knowledge to safely remove diseased bees and that the applicant has appropriate liability insurance coverage.

8. The reasons for the conclusion of the agency regarding the impact of a regulation on small businesses.

- The impact on small businesses will be insignificant. NDA has concluded that these regulations are required, in light of the fatality in Las Vegas, for the safety of the public and PCO's.

I certify that to the best of my knowledge or belief a concerted effort was made to determine the impact of this proposed regulation on small businesses and that the information contained in this statement is accurate.



Deputy Director

James R. Barbee
Director
Nevada Department of Agriculture