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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 2:00 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 2:00 pm.

Please post the agenda for NAC 557, 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 2:00 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 557; *a regulation relating to hemp fee clarification, 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 557, of Nevada Administrative Code. A workshop has been set for Monday, October 17, 2016, at 2:00 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:

“Hemp fee clarification“

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 557

Sec. 8. The Department shall assess the following fees:

1. For the submission of an application pursuant to section 5 of this regulation, a nonrefundable application fee of \$500.
2. *To amend an application previously submitted pursuant to section 5 of this regulation, a nonrefundable amendment fee of \$500. The other fees due pursuant to this section will be adjusted to reflect any changes in the certified and registered site.*
3. For a certified and registered site used for growing and cultivating industrial hemp outdoors, a fee of \$5 per acre or portion thereof.
4. For a certified and registered site used for growing or cultivating industrial hemp indoors, a fee of 33 cents per 1,000 square feet, or portion thereof.
5. For inspecting a site used for growing or cultivating industrial hemp:
 - (a) A fee of not more than \$50 per hour for each hour an inspector spends conducting the inspection, including the time spent traveling to and from the site; and
 - (b) The mileage allowance established by the State Board of Examiners for state officers and employees pursuant to subsection 3 of NRS 281.160 for the inspector's travel to and from the site.
6. For sampling and analyzing industrial hemp pursuant to this chapter, a fee in the amount of the actual costs of the Department for the sampling and analysis, as approximated by the Department.

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 industrial hemp grower involved in a research trial that may be impacted by this clarification. 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.

- No analyses was conducted because these regulations are merely a clarification of the application process if a grower wishes to amend the original research project.

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

- There is no impact unless the original application is modified at the grower's request.

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.

- It is estimated that it may cost between \$0-100 to the agency to enforce this regulation.

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 \$0-\$2,500 with the possibility that fees may be returned to individual growers.

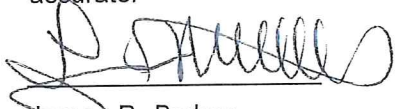
7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

- Does not apply.

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

- These regulations simply clarify the application process and will only apply at the request of the grower.

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.



James R. Barbee
Director
Nevada Department of Agriculture

Deputy Director