

**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 561 of Nevada Administrative Code. A workshop has been set for Monday, May 16, 2016, 9:00 am at:

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

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:

“Adopt regulations pursuant to regulating Aquaculture”

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

Robert Little
Interim Administrator Plant Industry Division
Nevada Department of Agriculture
405 South 21st Street
Sparks, NV 89431
(775) 353-3729
rlittle@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 St Louis Ave
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

BRIAN SANDOVAL
Governor

STATE OF

JIM BARBEE

Director



Sparks Office:
2150 Frazer Avenue
Sparks NV 89431-5566
(775) 688-1166
Fax (775) 688-2533

Elko Office:
4780 E. Idaho Street
Elko NV 89801-4672
(775) 738-8076
Fax (775) 738-2639

Las Vegas Office:
2300 St Louis Ave
Las Vegas NV 89104-4314
(702) 668-4590
Fax (702) 668-4567

**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, Interim Plant Industry Division Administrator – 775-353-3729
rlittle@agri.nv.gov Fax Number 775-353-3638

SUBJECT: Posting of Agenda for Workshop Scheduled for Monday, May 16, 2016, 9:00 am.

DATE: April 21, 2016

I have attached a copy of the agenda for the Nevada Department of Agriculture Workshop that will be held on Monday, May 16, 2016, 9:00 am.

Please post the agenda before 9:00am on April 29, 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.

Thank you.

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 St Louis Ave
Las Vegas, NV 89104
Phone 702-668-4590

DATE AND TIME: Monday, May 16 2016, 9:00 Am

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 561, *a regulation relating to Regulating Aquaculture 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 St Louis Ave, Las Vegas, NV 89104, State of Nevada Capital Building, Carson City NV, State Library and Archives, Carson City

Statutory Authority - NRS 561.301
Regulatory Authority - Department

NAC Application for certificate: Submission; contents. (NRS 561.301, 576.128)

1. To obtain a certified aquaculture producer's certificate, a person must submit to the Department, on a form prescribed by the Department, a separate application for each facility where an aquaculture product will be produced.
2. The application must include, without limitation:
 - (a) The name, mailing address and telephone number of the applicant;
 - (b) The physical address of the facility where each aquaculture product will be produced;
 - (c) A list of each aquaculture product for which the applicant seeks certification and anticipates that he will produce and offer for sale during the 12 months for which the certificate is valid;
 - (d) The estimated yield of each aquaculture product listed on the application;
 - (e) The fee set forth for the application and the inspection required.
3. Except as otherwise provided in this subsection, an application must be submitted to the Department at least 30 days before the harvest of an aquaculture product that is listed on the application. The Department may, in its discretion, waive the requirements set forth in this subsection.

NAC Fees of Department. (NRS 561.301, 576.128) The Department will charge and collect the following nonrefundable fees:

1. For an application for an initial certified aquaculture producer's certificate and the inspection required \$75.00
2. For the renewal of a certified aquaculture producer's certificate without an inspection..... \$30.00
3. For the inspection of any facility concerning an aquaculture product for which a person seeks a certified aquaculture producer's certificate which is conducted after the initial inspection has been completed and for any other additional inspections:
 - (a) For each hour of inspection, calculated from the assigned office of the inspector, per hour \$50.00
 - (b) The current IRS mileage reimbursement rate per mile calculated from the assigned office of the inspector

NAC Inspection of aquaculture facilities indicated on application. Before approving an application for a certified aquaculture producer's certificate, an amended certified aquaculture producer's certificate or a renewed certified aquaculture producer's certificate, the Department, or an authorized representative of the Department, may inspect the facility that is indicated on the application to verify the production of each aquaculture product that is listed on the application.

NAC Amendment of certificate.

1. If the holder of a certified aquaculture producer's certificate wishes to add an aquaculture product to those listed on his certificate, he must submit to the Department, on a form prescribed by the Department, a separate application to amend the certificate for each aquaculture product and each additional facility.

2. Except as otherwise provided in this subsection, if a holder of a certified aquaculture producer's certificate wishes to amend the certificate pursuant to subsection 1, the holder must submit an application to amend the certificate at least 30 days before the harvest of any additional aquaculture products. The Department may, in its discretion, waive the requirements set forth in this subsection.

3. The application must include, without limitation:

- (a) The information required pursuant to NAC;
- (b) An identification of each additional aquaculture product that will be produced

4. The Department may waive the inspection of the facility that is indicated on the application to amend a certificate.

5. If the Department approves an application to amend a certified aquaculture producer's certificate, the Department will issue an amended certificate which lists the additional aquaculture products that will be produced. The amended certificate expires on the expiration date of the original certificate.

NAC Availability of applications. (NRS 561.301, 576.128) An application for a certified aquaculture producer's certificate, an application to amend a certified aquaculture producer's certificate and an application to renew a certified aquaculture producer's certificate may be obtained, free of charge, from the State Department of Agriculture at 405 S. 21st Street, Sparks, Nevada, 89431, or by telephone at (775) 353-3601.