

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Informational Statement
LCB File No. R146-16

1. A clear and concise explanation of the need for the adopted regulation.

The regulation is needed to include the practice of aquaculture in the regulations regarding agriculture in Nevada.

2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

Copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail and email to persons who were known to have an interest in the subject of aquaculture, as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Nevada Department of Agriculture (NDA) www.agri.nv.gov, mailed to all county libraries in Nevada and posted at the following locations:

Nevada Department of Agriculture
405 South 21st Street
Sparks, NV 89431-5566

Nevada Department of Agriculture
2150 Frazer Avenue
Sparks, NV 89431

Nevada Department of Agriculture
2300 E. St Louis Avenue
Las Vegas, NV 89104-4314

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

Interested persons may obtain a copy of the summary by contacting:

Nevada Department of Agriculture
Attn: Ruth Tietjen
(775) 353-3670
405 South 21st Street
Sparks, NV 89431

3. The number of persons who:

(a) Attended each hearing:

(b) Testified at each hearing:

(c) Submitted written comments:

Workshop date: May 16, 2016
Number in attendance: 1
Number testifying: 0
Written statements submitted: 0

Hearing date: October 17, 2016
Number in attendance: 0

Number testifying: 0
Written statements submitted: 4

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:

- (a) Name;**
- (b) Telephone number;**
- (c) Business address;**
- (d) Business telephone number;**
- (e) Electronic mail address; and**
- (f) Name of entity or organization represented.**

- 1 Liz
elizabeth@urbanfins.com
- 2 Jerry Bowlen, Executive Director
jbowlen@bellagioresort.com
(702) 693-7962
- 3 Justin & Lannah Smith
55 Elm Drive
Fallon, NV 89406
(775) 473-2829
lannahsmith@gmail.com
- 4 Jeannie
Jeannie_damonte@yahoo.com

5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.

All interested parties that we were aware of were notified of the regulation and invited to submit comments or suggestions regarding the proposed regulation. The responses were general in nature regarding the need to include aquaculture and suggestions on applicable fees. Interested persons may obtain a copy of the summary by contacting:

Nevada Department of Agriculture
Attn: Ruth Tietjen (775) 353-3670
405 South 21st Street
Sparks, NV 89431

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The regulation was adopted without change. Aquaculture must be included in Nevada's agricultural system to satisfy the requirements of the Food Safety Modernization Act. The fee structure was adopted as proposed because the revenue anticipated will cover the cost of providing the service.

7. The estimated economic effect of the regulation on the business which it is to regulate and on the public.

(a) Estimated economic effect on the businesses which they are to regulate.

Minimal fees equivalent to those paid by land based agriculture operations.

(b) Estimated economic effect on the public which they are to regulate.

Insignificant economic impact to the public.

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

The cost to regulate aquaculture operations will be equivalent to the cost of regulating land based agriculture operations. The cost is minimal and covered by the fees.

9. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

This regulation does not duplicate or overlap any other state or government agencies.

10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

There are no federal regulations.

11. If the 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 agency anticipates in collecting \$300 which will be used to cover the cost of providing the service.