

**LCB FILE No. T018-00**

**PROPOSED TEMPORARY REGULATION OF THE  
STATE QUARANTINE OFFICER**

**NOTICE OF INTENT TO ADOPT REGULATIONS**

THE NEVADA DEPARTMENT OF AGRICULTURE

Proposed temporary amendments to NAC 554.180 pertaining to the areas under quarantine against Japanese beetle and 554.600 to 554.690 pertaining to an exterior quarantine against European pine shoot moth.

Need and purpose of the proposed amendments

New areas have become infested with Japanese beetle and need to be included to the areas under quarantine.

New areas infested with European pine shoot moth need to be added to the areas under quarantine. Trapping and treatments have been added as certification methods. These certification methods allow the covered commodities to enter Nevada if certified as meeting either the trapping or treatment requirements.

Economic effect of these proposed amendments on the businesses which it is to regulate:

1. Adverse effects:

None.

2. Beneficial effects:

Both quarantines contain certification methods which will allow uninfested commodities to enter Nevada.

3. Immediate and long-term effects:

The beneficial and adverse effects are the same for the immediate and long-term economic effects.

Economic effects of the proposed amendments on the public:

1. Adverse effects:

None

2. Beneficial effects:

The quarantines prevent the entry of these pests into Nevada. The entry and establishment of these pests would cause economic loss to commercial crops and privately grown plants.

3. Immediate and long-term effects:  
None

Economic cost to the agency for enforcement of the proposed amendments:

Their will be no additional cost to the agency for enforcement of the amendments.

Description of any regulations of any other state, local or federal regulation that the proposed amendments overlap or duplicate:

There are no other state, local or federal government regulations that these amendments overlap or duplicate.

Fees:

The proposed amendments do not contain any new fees or increase any existing fees.

The date time, place and manner in which interested parties may present their views on the proposed amendments:

**DATE:** November 9, 2000

**TIME:** 10:00 a.m.

**PLACE:** Nevada Department of Agriculture Office- Reno  
350 Capitol Hill Avenue  
Reno, Nevada 89502

**Manner:** Written comments and testimony may be submitted prior to the hearing date and will be included with any testimony presented at the hearing. All variable and written testimony will be in the record of the hearing.

**Addresses at which the text of the proposed regulations may be inspected and copied:**

**The Nevada State Library in Carson City, and all Nevada county libraries. The Department of Agriculture offices in Reno, Sparks, Elko, Las Vegas or Winnemucca during the hours of 8:00 a.m. until 5:00 p.m., Monday through Friday.**

**Nevada Department of Agriculture  
350 Capitol Hill Avenue  
Reno, NV 89502**

**Nevada Department of Agriculture  
2150 Frazer Street  
Sparks, NV 89431**

**Nevada Department of Agriculture  
1550 S. Wells Avenue  
Reno, NV 89502**

**Nevada Department of Agriculture  
1200 E. Winnemucca Blvd.  
Winnemucca, NV 89445**

**Nevada Department of Agriculture  
Eyer H Boies Building  
Elko, NV 809801**

**Nevada Department of Agriculture  
2300 McLeod  
Las Vegas, NV 89104**

**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, call **Robert Gronowski at the Nevada Department of Agriculture, (775)-688-1182 Ext. 239 as soon as possible.**

**NRS 233B.064 Permanent regulations not to be adopted or revised by the Legislative Counsel; agency's reasons for adoption.**

2. Upon adoption of any regulation, the agency, if requested to do so by an interested person before adoption, or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against adoption, and incorporate therein its reasons for overruling the consideration urged against its adoption.

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**Paul Iverson, Director**

**Date**

## NOTICE OF WORKSHOP

A workshop will be held on proposed temporary amendments to the following amendments to the Nevada Administrative Code:

1. NAC 554.020 to 554.690 pertaining to the exterior quarantine against European Pine Shoot Moth.
2. NAC 554 pertaining to an exterior quarantine against Mint Stem Borer.
3. NAC 554 pertaining to an exterior quarantine against Potato Late Blight.
4. NAC 554.180 pertaining to the areas under quarantine against Japanese Beetle.
5. NAC 587.340 pertaining to inspection and certification fees.

**DATE:** October 18, 2000

**TIME:** 9:00 a.m.

**Place:** Nevada Department of Agriculture- Reno Office  
350 Capitol Hill Avenue  
Reno, NV 89502-2923

**For clarification** on the proposed amendments contact Robert Gronowski at (775) 688-1182, ext. 239.

**Addresses at which the text of the proposed regulations may be inspected and copied:**

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**NEVADA DEPARTMENT OF AGRICULTURE  
SMALL BUSINESS IMPACT DISCLOSURE PROCESS  
PURSUANT TO 233B “Nevada Administrative Procedures Act”**

The purpose of this Small Business Impact Form is to provide a frame work pursuant to NRS 233B.0608 to determine where a small business impact statement is required for submittal of a proposed regulation before the Nevada Department of Agriculture. If questions one (1) and two (2) are answered No, then a small business impact statement is not required. If question one (1) or two (2) is answered with a YES, then a small business impact statement is required prior to conducting a public workshop by the Department. (This form must be submitted with the proposed regulation when submitted for drafting by LCB and adoption by the Nevada State Board of Agriculture.)

Proposed regulation: NAC 554.020 to 554.690 ( European Pine Shoot Moth), NAC 554(Mint Stem Borer), NAC 554(Potato Late Blight), NAC 554.180(Japanese Beetle), and NAC 587.340 (Inspection and certification fees).

**Part 1**

1. Does this proposed regulation impose a direct and significant economic burden upon a small business ? No
2. Does this proposed regulation restrict the formation, operation or expansion of a small business ? No

**Note: Small Business is defined as a “business conducted for profit which employs fewer than 150 full-time or part-time employees” (NRS 233B.0382).**

3. If **YES** to either of questions 1 & 2, the following action must be taken:
  1. Was a small business impact statement prepared and was it available at the public workshop?
  2. Attach the small business impact statement (part 2) as part of this form upon submission for drafting by LCB and adoption by the Nevada Board of Agriculture.

**Small Business Impact Form- Part 1**

**SMALL BUSINESS IMPACT STATEMENT**

**Small Business Impact Form- Part 2**  
(NRS 233B.0609)

1. Describe the manner in which comments were solicited from affected small businesses, a summary of the response from small businesses and an explanation of the manner in which other interested persons may obtain a copy of the summary.
2. The estimated economic effect of the proposed regulation on small business:
  - a. Both adverse and beneficial effects
  - b. Both direct and indirect effects
3. The description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses.
  - a. Simplification of the proposed regulation.
  - b. Establishment of different standards of compliance for a small business.
  - c. Modification of fees or other monetary interests that a small business is authorized to pay at a lower fee.
4. The estimated cost to the agency for enforcement of the proposed regulation.
5. If this regulation provides for 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.
6. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards relating to the same activity, provide an explanation of why the proposed regulation is duplicative or more stringent, and why it is necessary.

Nevada Department of Agriculture  
350 Capitol Hill Avenue  
Reno, Nevada 89502  
(775)688-1180

**PROPOSED TEMPORARY AMENDMENTS TO NAC 554.180 PERTAINING TO THE AREAS UNDER QUARANTINE AGAINST JAPANESE BEETLE.**

Authority: NRS 554.020

NAC 554.180 Areas under quarantine. (NRS 554.020, 554.030) The area under quarantine against the Japanese beetle consists of:

1. The states of Connecticut, Delaware, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia and West Virginia;
2. The counties of *Autauga*, Blount, Calhoun, Chambers, Cherokee, Clay, Cleburne, *Colbert*, Coosa, De Kalb, Etowah, *Fayette*, Jackson, Jefferson, Lee, Limestone, Macon, Madison, Marion, Marshall, Morgan, Randolph, Shelby, St. Clair, Talladega, Tallapoosa, Tuscaloosa and Winston in Alabama;
3. *The counties of Benton and Washington in Arkansas;*
- ~~3~~4. *The counties of Dubuque and Lyn in Indiana;*
- ~~4~~5. The counties of Johnson, Sedgwick, Shawnee and Wyandotte in Kansas;
- ~~4~~6. The counties of Carver, Dakota, Hennepin, Ramsey ~~and~~, Scott *and Washington* in Minnesota;
- ~~5~~7. The counties of *Christian*, Franklin, Jefferson, Saint Louis, Stone, Warren and Washington, and the City of St. Louis in Missouri;
8. *The county of Kay in Oklahoma;*
9. *The counties of Benton, Decatur and Perry in Tennessee;*
10. *The counties of Collin, Dallas, Harris, Tarrant and Zandt in Texas;*
- ~~6~~11. The counties of Dane, Door, Fond du Lac, Jefferson, Kenosha, Milwaukee, Ozaquee, Racine, Rock, Sheboygan, Waukesha and Wood in Wisconsin;
- ~~7~~12. The District of Columbia;
- ~~8~~13. The counties of Haldimand, Norfolk, Hamilton, Wentworth and Niagra in the Province of Ontario, Canada; and
- ~~9~~14. The regional municipalities of Brome, Missiquoi, Champlain, Le Bas, Richelieu, Le Haut, Richelieu and Rousillon in the Province of Quebec, Canada.

For clarification on these amendments contact Robert Gronowski at (775) 688-1182 Ext. 239.