

**LCB File No. T018-02**

**ADOPTED TEMPORARY REGULATION OF THE  
STATE DEPARTMENT OF AGRICULTURE**

**Initially filed with the Secretary of State on January 28, 2003  
Replaced by amended version filed with the Secretary of State on March 13, 2003**

**NOTE: The only difference in the two versions filed with the Secretary of State is the following statement concerning the adopted temporary regulation:**

Review and Determination of suitability of amendments to the “Domestic Quarantine Notices”, Code of federal Regulations Title 7, Volume 5, Part 301 Revised January 1, 2001, adopted by reference (T018-02).

The State Entomologist after reviewing the following amendments to Part 301, has determined the Following Amendments to be suitable for Nevada to be added to the Domestic Quarantine Notices Revised January 1, 2001:

1. DA-2001-1, *Phytophthora ramorum*, Sudden Oak Death Expansion (SOD), of Listed Hosts—California and Oregon, dated January 28, 2003.
2. Pages 5794 through 5796, 7 CFR Part 301, Imported Fire Ant; Additons to Quarantine Areas, Federal Register/Vol. 68, No. 24/Wednesday, February 5, 2003/ Rules and Regulations.
3. DA-2003-7 Sudden Oak Death (SOD), *Phytophthora ramorum*, Expansion of list of Regulated Articles—California and Oregon, dated March 11, 2003.

Authority: NRS 554.020 and

**Chapter 554 of NAC is hereby temporary amended by adding there to the provisions set forth as sections 1 and 2 of this regulation.**

***Section 1. The department hereby adopts by reference the “Domestic Quarantine Notices”, Code of Federal Regulations, Title 7, Volume 5, Part 301, revised as of January 1, 2001, together with any amendments or changes thereto which are found by the State Quarantine Officer to be suitable for Nevada pursuant to sec.2. This publication is available at no cost from the Nevada Department of Agriculture, 350 Capitol Hill Avenue, Reno, Nevada, 89502.***

***Sec. 2. The State Quarantine Officer shall review each change or amendment to the “Domestic Quarantine Notices” revised as of January 1, 2001 and determine whether it is suitable for Nevada. Upon making a determination that such change or amendment:***

*(a) Is suitable, the State Quarantine Officer shall file one copy of it with the Secretary of state, one copy with the State Librarian and make one copy available for public inspection with the regulations of the department.*

*(b) Is unsuitable, the Sate Quarantine Officer shall file with the Sectary of State and with the state Librarian a notice which states that it was disapproved for Nevada and has a copy of the change or amendment attached, and shall make a least one copy of the notice and attachment available for public inspection with the regulations of the department.*

**NOTICE OF ADOPTION OF TEMPORARY REGULATION  
LCB File No. T018-02**

**INFORMATIONAL STATEMENT**

1. A public workshop was held on October 5, 2002, in Reno, Nevada, at the Nevada Department of Agriculture Office, 350 Capitol Hill Avenue, Reno, Nevada.
2. A public hearing was held on October 5, 2002, in Reno, Nevada, at the Nevada Department of Agriculture Office, 350 Capitol Hill Avenue, Reno, Nevada.

Notice of workshop and notice of hearing were posted at all six Department offices, the Nevada State Library in Carson City, Nevada, and all Nevada county libraries. The notice of workshop and hearing was posted on the Department's web-site. Copies could be requested from the Nevada Department of Agriculture by writing to 350 Capitol Hill Avenue, Reno, Nevada, 89502, calling (775) 688-1180, contacting all other Department offices, the Nevada State Library in Carson City, and all Nevada county libraries. All persons who have requested to be notified of amendments were notified by fax or e-mail.

3. Workshop held October 5, 2002 – Reno

Number attended:	0
Number testified:	0
No written statements were submitted:	0

Summary of comments: None.

4. Hearing held October 5, 2002 – Reno

Number attending:	0
Number testifying:	0
Number of written statements submitted:	0

5. Comments were solicited from business and the public by posting in public locations and through direct fax and e-mail notices as outlined in #1 above. A copy of the comments and oral and written testimony may be obtained by calling the Nevada Department of Agriculture office, (775) 688-1180.

The Nevada Board of Agriculture adopted the amendments without changes.

6. The economic effects of the adopted amendments on the business which it is to regulate include:

- a. Adverse effects:  
None

- b. Beneficial effects:  
The business will only have one set of quarantines to comply with rather than separate state and federal quarantines.
  - c. Immediate and long-term economic effects:  
The adverse and beneficial effects are the same for immediate and long-term.
7. Economic effects of the proposed amendments on the public include:
- a. Adverse effects:  
None
  - b. Beneficial effects:  
Nevada will enforce these quarantines and prevent the pests covered by them from entering into Nevada and becoming established causing adverse economic and environmental affects on crops, livestock, public health, wildlife, water quality and beneficial uses of the land.
  - c. Immediate and long-term economic effects:  
The adverse and beneficial effects are the same for the immediate and long-term.
8. Economic cost to the agency for the enforcement of the regulation:  
There will not be any additional cost to the agency to enforce the amendments adopted.
9. Duplicates the Domestic Quarantine Notices, Code of Federal Regulations, Title 7, Volume 5, Part 301, Revised as of January 1, 2001. The duplication is needed to take state enforcement actions on Federal Domestic Quarantines.
10. The amendments adopted do not include any provisions more stringent than any federal regulation with the same activity.
11. This regulation does not establish or increase any fees.