

PROPOSED REGULATION OF THE STATE BOARD OF AGRICULTURE

LCB File No. R086-11

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 587 of Nevada Administrative Code. A workshop has been set for 10:00 A.M. on November 4, 2011 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:

NAC 587.173: A regulation relating to the fee for analysis and testing of seed.

NAC 587.220: A regulation relating to the listing of weed seed as noxious.

NAC 587.254: A regulation relating to the fee for certification of seed.

NAC 587.340: A regulation relating to the fee for phytosanitary field inspection.

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

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Nevada Department of Agriculture
405 South 21st Street
Sparks, NV 89434
(775) 353-3773
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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 89434

Nevada Department
of Agriculture
2300 McLeod
Las Vegas, NV 89104

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

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

NEVADA COUNTY PUBLIC LIBRARIES

Carson City Library
900 North Roop Street
Carson City, Nevada 89702

Churchill County Library
553 South Main Street
Fallon, Nevada 89406

Clark County District Library
833 Las Vegas Boulevard North
Las Vegas, Nevada 89101

Douglas County Library
1625 Library Lane
Minden, Nevada 89423

Elko County Library
720 Court Street
Elko, Nevada 89801

Esmeralda County Library
Corner of Crook & 4th Streets
Goldfield, Nevada 89013

Humboldt County Library
85 East 5th Street
Winnemucca, Nevada 89445

Lander County Library
625 South Broad Street
Battle Mountain, Nevada 89820

Lincoln County Library
63 Main Street
Pioche, Nevada 89043

Lyon County Library
20 Nevin Way
Yerington, Nevada 89447

Mineral County Public Library
110 1st Street
Hawthorne, Nevada 89415

Pershing County Library
1125 Central Avenue
Lovelock, Nevada 89419

Storey County Public Library
95 South R Street
Virginia City, Nevada 89440

Tonopah Public Library
167 Central Street
Tonopah, Nevada 89049

Washoe County Library
301 South Center Street
Reno, Nevada 89501

White Pine County Library
950 Campton Street
Ely, Nevada 89301

Date: 18 October 2011

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NAC 587.254 Certification: Application; annual registration of perennial crops; fees. (NRS 587.077, 587.083)

1. Application for certification must be made on a form obtained from or approved by the Department for each site.
2. To maintain certification, a perennial crop must be registered each year, including the seedling year, whether or not a seed crop is harvested during that year.
3. Applications must be accompanied by the applicable acreage and other fees set forth in subsection 7.
4. Except as otherwise provided in subsection 5, applications are due on the following dates:
 - (a) Alfalfa, grass, clover, rapeseed, woody plants and forbs of the foundation, registered or certified class, April 1, or, if the crop is planted after April 1, within 30 days after planting.
 - (b) Small grain and beans and field crops, other than those described in paragraph (a), of the foundation, registered or certified class, May 1, or, if the crop is planted after May 1, within 30 days after planting.
 - (c) Seed fields or orchards of the selected or tested class, at least 30 days before planting or, for renewal of perennial crops of seed fields or orchards of the selected or tested class, May 1.
 - (d) Natural stands of the selected or tested class, at least 15 days before the first harvest.
 - (e) Natural stands of the source identified class, at least 3 days before harvest.
 - (f) Planted stands of the source identified class, May 1.
5. The Department may, upon a showing of good cause, accept an application for certification filed after the date required for filing provided in subsection 4.
6. In addition to any other requirements, an applicant for certification of a source-identified class shall submit a site collection log and the fee for the site collection log set forth in subsection 7 to the Department within 7 days after the period for seed collection ends.
7. The Department shall charge the following fees:
 - (a) For an application for a field crop:

Crop	Acreage		Production
	Acre	Per	Clean Seed
Alfalfa		[\$4] \$7	\$.15/cwt
Beans		[\$5] \$7	.15/cwt
Clover		[\$4] \$7	.15/cwt
Grass		[\$4] \$7	.15/cwt
Rapeseed		[\$4] \$7	.15/cwt
Small grains		[\$4] \$7	.10/cwt
Woody plants and forbs		[\$4] \$7	.15/cwt
Other field crops		[\$4] \$7	.15/cwt

(b) For prevariety germplasm of the:

(1) Tested Class:

(I) Seed fields or orchards, \$4 per acre plus \$.25 per tag if tags are requested; and

(II) Natural stands, \$50 for each application for certification for each site plus \$.25 per tag if tags are requested;

(2) Selected Class:

(I) Seed fields or orchards, \$4 per acre plus \$.25 per tag if tags are requested; and

(II) Natural stands, \$50 for each application for certification for each site plus \$.25 per tag if tags are requested; and

(3) Source Identified Class, \$10 for each application for certification of each site and \$50 per site collection log plus \$.10 per pound of clean seed if tags are requested.

Ê The Department shall charge an acreage fee of at least \$25 per field.

8. In addition to any other fees, the Department may charge a fee of \$50 per field if a reinspection of the field is required to determine eligibility for certification.

9. Except as otherwise provided in subsection 10, the Department will bill production fees after the seed is cleaned and only if the lot meets certification standards.

10. For seeds conditioned out of State:

(a) The Department will not charge production fees for seeds that are tagged out of State through interagency certification.

(b) The Department will charge production fees for seeds for which tags are requested from the Department.

11. The Department will collect acreage fees on all perennial crops in the year of seeding and in each calendar year thereafter.

12. The Department shall refund the acreage fee:

(a) For all crops, if the application is withdrawn in writing before a field inspection.

(b) For a perennial crop for any year, except the seedling year, if the Department is notified that the crop is not intended to produce seed. The Department must be notified in writing before the field is inspected.

13. As used in this section, “prevariety germplasm” has the meaning ascribed to it in NAC 587.3396.