



# NEVADA DIVISION OF FORESTRY

STATE OF NEVADA  
Department of Conservation & Natural Resources

Jim Lawrence, *Acting Director*  
Kacey KC, *State Forester/Firewarden*

## LEGISLATIVE REVIEW OF ADOPTED REGULATIONS - NRS 233B.066

Informational Statement

**LCB FILE: R-096-22P**

The following statement is submitted for adopted amendments to Nevada Administrative Code (“NAC”) Chapter 527.

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

The purpose and need for the proposed regulation is to update the administration of Nevada’s critically endangered plant protections in NAC 527, including providing a new process and the required use of a form specifically for filing petitions to list or de-list a species named within the regulation; updating the reference for plant species standard nomenclature used in the regulation and a process for future updates; and follows direction set by AB 52 (2019) to repeal the Nevada Natural Heritage Program and establish the Nevada Division of Natural Heritage that may be requested by NDF for assistance for the conservation, protection, restoration and propagation of critically endangered species of native flora as well as written recommendations on certain issues relating to native flora. The regulation also removes an exception in existing regulations to the requirement to obtain a special permit for activities on state lands under the jurisdiction of the Nevada Division of State Parks in order to be consistent with relevant provisions of the Nevada Revised Statutes. Finally, the regulation revises the timeframe for the State Forester to respond to petitions submitted to NDF for a declaratory order or advisory opinion regarding the applicability of a statute, regulation or decision and, within 90 days.

**2. A description of how public comment was solicited, a summary of public responses, and an explanation how other interested persons may obtain a copy of the summary.**

A public workshop was held in person and virtually, pursuant to the NRS 233B permanent regulation change requirements, on June 13, 2022, to solicit public comment from interested parties. There were no participants during the public workshop. A final adoption public hearing was held on November 29, 2022. Members of the public were invited to participate in-person and virtually in accordance with the Open Meeting Law. There was no public comment during the adoption hearing.

Additionally, copies of the proposed regulations, notice of workshop, and notice of intent to act upon regulations were posted to the Division’s website, the Legislative Counsel Bureau website, and the public notice website. Notices and copies of the proposed regulations were also posted at the Storey County public library, the Bryan Building in Carson City, and the Grant Sawyer

Building in Las Vegas. The Division also allowed the public to submit written comment, though no written comment was received.

**3. Number of persons who:**

**a. Attended the hearing:**

No person from the public attended the hearing on November 29, 2022.

**b. Testified at each hearing:**

No person from the public testified at the hearing on November 29, 2022.

**c. Submitted to the agency written comments:**

No person from the public submitted written comment to the agency.

**4. A list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented (if provided to the agency), for each person who testified at each hearing and submitted to the agency written statements.**

The following is a list of names and contact information for all public persons who attended, testified or submitted written statements.

- a. None

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

The Division determined that there was no impact on small businesses with the adoption of these regulations, therefore comments were not solicited from small businesses.

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

No public comment was received; the Division is submitting for final adoption as proposed.

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

- a. Pursuant to NRS 233B.060, the proposed administrative regulation changes are not likely to impose a direct or significant economic burden upon a small business, or

- b. Directly restrict the formation, operation, or expansion of a small business.

**8. The estimated cost of the agency for enforcement of the adopted regulation.**

No fees are currently collected or will need to be collected by the Nevada Division of Forestry therefore there will be no additional costs incurred for the adoption of this regulation.

**9. A description of any regulation of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulation federal agency.**

There are no other regulations of other state or government agencies which the proposed regulation overlaps or duplicates. The proposed regulation does not include provisions which are more stringent than a federal regulation which regulates the same activity and no summary is provided.

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

N/A

**11. If the regulation provides a new fee or increases an existing fee, a statement indicating the total annual amount the agency expects to collect and the manner in which the money will be used.**

No new fees or increases to existing fees are included in the adopted regulation.