

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
ADMINISTRATIVE PROCEDURE ACT, NRS 233B.0613
INFORMATIONAL STATEMENT**

September 10, 2015

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

The State of Nevada annually faces potentially high activity fire seasons due to drought conditions and the Nevada Division of Forestry (NDF) is attempting to create options to lessen the severity of wildfires. AB163 amended NRS 472, which enables the creation of Rangeland Fire Protection Associations (RFPAs) and was signed into law by the Governor on June 4, 2015.

The RFPA program is strictly voluntary by the public and enables remotely located residents to be trained, equipped and respond to wildland fires with the intent to control wildland fires at their smallest size by quick mitigation. This is a collaborative process between Federal, State and Local fire agencies. The RFPA model is proven in other States and will become a highly valuable asset to all Federal, State and Local government fire departments.

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

Following the Governor's execution of the RFPA Emergency Regulations on June 23, 2015, NDF began the formal process to introduce and obtain respective Permanent Regulations (NAC). On July 16, 2015, a public Workshop was held and copies of the minutes can be obtained by contacting Penny Webb at NDF by calling (775) 684-2500 or emailing her at pwebb@forestry.nv.gov. At the Public Workshop, there were only four people in attendance and one person on the conference call line. All people participating were NDF employees or people in support of the RFPA project with no dissention. One written comment was received, responded to and entered into the minutes.

On September 4, 2015 an official Public Hearing was conducted for the Permanent Regulations and copies of the minutes can be obtained by contacting Penny Webb at NDF by calling (775) 684-2500 or emailing her at pwebb@forestry.nv.gov. At the Public Hearing, there were four people in attendance and one person on the conference call line. All people participating were NDF employees or people in support of the RFPA project, with no dissention. BLM Representative Paul Peterson requested that the minimum age to participate in a RFPA is 18 years old. It was decided that the minimum age criteria would be addressed through the RFPA Agreement and not in the Regulations.

- 3. 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.**

See attached Small Business Impact Statement dated August 4, 2015.

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

Regulation was adopted with no change due to involvement of a legislative/regulatory workgroup that consisted of County reps, Fire District reps, NACO and small businesses. NDF also sent letters to all Counties and respective Fire Districts explaining the RFP program/process and made several direct presentations to Eureka, Elko, Humboldt and Lander Counties. NDF also made a RFP presentation to NACO Board of Directors on August 28, 2015.

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

- a. Estimate economic effect on the businesses which they are to regulate:**

None, the RFP program is strictly voluntary.

- b. Estimated economic effect on the public which they are to regulate:**

No impact to public. NDF and Federal fire agencies will provide training and equipment at no charge to the RFP.

- 6. The estimated cost to the agency for enforcement of the proposed regulation.**

There is no additional cost.

- 7. 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 or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

None.

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

N/A

- 9. 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.**

None.

10. Is the proposed regulation likely to impose a direct and significant economic burden upon small business or directly restrict the formation, operation or expansion of a small business? What methods did the agency use in determining the impact of the regulation on a small business?

None, the RFPA program is strictly voluntary. Refer to the August 4, 2015 Small Business Impact Statement (attached).