

**ADOPTED REGULATION OF THE
STATE QUARANTINE OFFICER**

LCB File No. R054-06

Effective June 28, 2006

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §1, NRS 554.020 and 554.030.

A REGULATION relating to the quarantine for Japanese beetles; adding the state of New Mexico to the area under quarantine; and providing other matters properly relating thereto.

Section 1. NAC 554.180 is hereby amended to read as follows:

554.180 The area under quarantine against the Japanese beetle consists of:

1. The states of Alabama, Arkansas, Connecticut, Delaware, Georgia, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, *New Mexico*, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia and Wisconsin;
2. The District of Columbia; and
3. The provinces of Ontario and Quebec, Canada.

NOTICE OF ADOPTION OF PROPOSED REGULATION
LCB File No. R054-06

The State Quarantine Officer adopted regulations assigned LCB File No. R054-06 which pertain to chapter 554 of the Nevada Administrative Code on May 26, 2006.

Notice date: 3/31/2006

Date of adoption by agency: 5/26/2006

Hearing date: 4/21/2006

Filing date: 6/28/2006

INFORMATIONAL STATEMENT

INFORMATIONAL STATEMENT (NRS 233B.066) regarding workshops and hearings held to adopt regulations changing repealing the quarantine on Dutch Elm NAC 554.110, 554.120, 554.130, 554.140, 554.150, & 554.160, and updating the quarantine on Japanese beetle adding New Mexico, NAC554.020, & 554.030.

1. A public workshop was held on April 21, 2006 for both Dutch Elm & Japanese beetle regulation changes in Reno, Nevada at the Nevada Department of Agriculture, 350 Capitol Hill Avenue, teleconferenced to Las Vegas, Nevada, Nevada Department of Agriculture, 2300 McLeod.
2. A public hearing was held on April 21, 2006 for both Dutch Elm & Japanese beetle regulation changes in Reno, Nevada at the Nevada Department of Agriculture, 350 Capitol Hill Avenue, teleconferenced to Las Vegas, Nevada, Nevada Department of Agriculture, 2300 McLeod.

Notice of workshop and notice of hearing was posted at all six Department offices, the Nevada State Library in Carson City, Nevada, and all Nevada county libraries. Copies could be requested from the Nevada Department of Agriculture, Division of Plant Industry by writing to 350 Capitol Hill Avenue, Reno, Nevada 89502, calling 775-688-1182, contacting all other Department offices, the Nevada State Library in Carson City, and all Nevada county libraries. Notification was sent to all persons requesting to be notified of the amendment on April 10, 2006.

3. Workshop held April 21, 2006 Reno & Las Vegas **Dutch Elm**
Number Attended: 0
Number Testified: 0
Number of Written Statements: 2 (attached)

Summary of comments or written statements: No comments given. Written statements were from Craig Meckley, ASLA, & Fleming Nursery, Sandy, Oregon. Both written statements were in favor of repealing the quarantine on Dutch Elm.

4. Workshop held April 21, 2006 Reno & Las Vegas **Japanese beetle**
Number Attended: 0
Number Testified: 0
Number of Written Statements: 0

Summary of comments: No comments given.

5. Hearing held April 21, 2006 Reno & Las Vegas **Dutch Elm**

Number Attended: 0

Number Testified: 0

Number of written statements: 0

Summary of comments: No comments given.

6. Hearing held April 21, 2006 Reno & Las Vegas **Japanese beetle**

Number attended: 0

Number testifying: 0

Number of written comments: 0

Summary of comments: No comments given.

7. Comments were solicited from businesses and the public, by posting in public locations and through direct mail and email notices as outlined in #2 above. A copy of comments and oral and written testimony may be obtained by calling the Nevada Department of Agriculture office, 775-688-1180, ext 272.

8. The Nevada Department of Agriculture adopted the amendments as outlined in documents LCB File # RO53-06 for Dutch Elm & LCB File # RO54-06 for Japanese beetle.

9. The economic effects of both proposed amendments on the businesses that it is to regulate include:

a. Adverse effects: none

b. Beneficial effects: none

c. Immediate and long-term economic effects: none

10. The economic effects of the proposed amendments on the public include:

a. Adverse effects: none

b. Beneficial effects: none

c. Immediate and long-term economic effects: none

11. 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 when adopted.

12. There is no other state or federal agency regulations that the adopted amendments overlap or duplicate.

13. The proposed amendments do not include any provisions more stringent than any federal regulation with the same activity.