

# **PROPOSED REGULATION OF THE STATE BOARD OF AGRICULTURE**

## **LCB File No. R087-11**

### **NOTICE OF INTENT TO ACT UPON A REGULATION**

#### **Notice of Hearing for the Amendment of Regulations of the Nevada Department of Agriculture**

The Nevada Department of Agriculture will hold a public hearing 11 am., on December 5, 2011, at Agriculture Headquarters, 405 South 21<sup>st</sup> Street, Sparks, NV 89431; Phone: (775) 353-3601. The purpose of the hearing is to receive comments from all interested persons regarding the Amendment of regulations that pertain to chapter 587 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

The purpose is to solicit public comments from interested persons on the following proposed regulation:

**LCB File No. R087-11:** A REGULATION relating to organic agricultural products; increasing the fees for the certification or continued certification of a production or handling operation; increasing the fees for certain fields or areas of operation; and providing other matters properly relating thereto.

The original LCB file can be found and downloaded from the following link:  
<http://www.leg.state.nv.us/register/2011Register/R087-11I.pdf>

For details and additional updates and changes as suggested during the workshop process, contact:

**Steve Marty**  
**Nevada Department of Agriculture**  
**405 South 21<sup>st</sup> Street**  
**Sparks, NV 89431**  
**(775) 353-3773**  
**s\_marty@agri.nv.gov**

Workshops were held and comments solicited to determine an estimate of the impacts on small business owners.

There will be a substantial increase in the cost to individuals and companies participating in the organic certification program. The additional revenue generated will allow organic certification activities to continue in the absence of a contribution to the program from the general fund.

Organic certification of agricultural products provides additional value to the grower/handler. There are no adverse effects on the public. Local economies may benefit from the increased value of commodities produced.

The immediate and long term effects of the proposed changes are similar.

There will be no additional cost to the Nevada Department of Agriculture for enforcement of the proposed regulation.

The proposed regulation will not overlap or duplicate any regulations set by federal, state or local governmental agencies.

Although the proposed regulation is not required by federal law, the department receives accreditation from USDA to administer the program. The proposed regulation change is vital to maintaining federal-accreditation.

The proposed regulation does not include any provisions more stringent than a federal regulation that regulates the same activity.

The proposed regulation increases an existing fee.

Persons wishing to comment upon the proposed action of the Nevada Department of Agriculture may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, the

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405 S. 21<sup>st</sup> Street  
Sparks, NV 89431  
ATTN: Steve Marty  
(775) 353-3773  
s\_marty@agri.state.nv.us**

Written submissions must be received by the Nevada Department of Agriculture on or before December 2, 2011. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada Department of Agriculture may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at:

Nevada Department of Agriculture  
405 South 21<sup>st</sup> Street  
Sparks, NV 89431

Nevada Department of Agriculture  
2300 McLeod  
Las Vegas, NV 89104

Nevada Department of Agriculture  
 4780 E. Idaho Street  
 Elko, NV 89445

Nevada Department of Agriculture  
 2150 Frazer Street  
 Sparks, NV 89431

and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

**The Nevada State Library in Carson City, and all Nevada county libraries. The Department of Agriculture offices in Sparks, , Las Vegas or Elko during the hours of 8:00 a.m. until 5:00 p.m. Monday through Friday.**

Nevada Department of Agriculture  
 405 South 21<sup>st</sup> Street  
 Sparks, NV 89431

Nevada Department of Agriculture  
 2300 McLeod  
 Las Vegas, NV 89104

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 4780 E. Idaho Street  
 Elko, NV 89445

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 2150 Frazer Street  
 Sparks, NV 89431

Churchill County Library 553 South Maine Street Fallon, NV 89406	Clark County District Library 833 Las Vegas Boulevard North Las Vegas, NV 89101	Elko County Library 720 Court Street Elko, NV 89801
Esmeralda County Library Corner of Crook & 4 <sup>th</sup> Streets Goldfield, NV 89013	Eureka Branch Library P.O. Box 293 10190 Monroe Street Eureka, NV 89316-0293	Humboldt County Library 85 East 5 <sup>th</sup> Street Winnemucca, NV 89445
Lincoln County Library 63 Main Street Pioche, NV 89043	Lyon County Library 20 Nevin Way Yerington, NV 89447	Mineral County Library 110 1 <sup>st</sup> Street Hawthorne, NV 89415
Nevada Farm Bureau Federation 2165 Green Vista Drive, Suite 205 Sparks, NV 89431	Tonopah Public Library 167 Central Street Tonopah, NV 89049	Pershing County Library 1125 Central Avenue Lovelock, NV 89419

<p>Storey County Public Library  95 South R Street  Virginia City, NV 89440</p>	<p>Washoe County Library  301 South Center Street  Reno, NV 89501</p>	<p>White Pine County Library  950 Campton Street  Ely, NV 89301</p>
<p>Lander County Library  625 South Broad Street  Battle Mountain, NV 89820</p>	<p>Carson City Library  900 N. Roop Street  Carson City, NV 89702</p>	<p>Douglas County Library  1625 Library Lane  Minden, NV 89423</p>
<p>State Library  100 North Stewart Street  Carson City, NV 89701-4285</p>	<p>Smith Valley Library  22 Day Lane  Smith, NV 89430</p>	<p>Las Vegas Review Journal  Ed Vogel/Capital Bureau  102 N. Curry Street  Carson City, NV 89703</p>