

## **MEETING NOTICE AND AGENDA**

**Today's Date:** May 12, 2008

**Name of Organization:** NEVADA STATE BOARD OF AGRICULTURE

**Date and Time of Meeting:** May 21, 2008 8:30 am  
May 22, 2008 8:30 am

**Place of Meeting:** Nevada Farm Bureau  
2165 Green Vista Dr. Suite 205  
Sparks, NV 89431  
1-800-992-1106 or 775-674-4000

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### **AGENDA**

This meeting will be available by teleconference in Las Vegas and Elko, NV. The locations are the University of Nevada Cooperative Extension, 8050 S. Maryland Pkwy., Suite 100 Las Vegas, NV (rooms LLLC CYCF and LLLC WHEE) and the University of Nevada Cooperative Extension, 701 Walnut Street Elko, NV (room GBC GTA 118)

The following items may be discussed and/or acted upon, but may be taken in different order to accommodate the interests and time limitations of persons attending.

1. **Call to order by Chairman Lawrence (Waugh)**
  - A. Self-Introductions for Board Members and Meeting Attendees **INFORMATION**
  - B. Introduction of Katie Armstrong, Deputy Attorney General **INFORMATION**
  
2. **Board Business**
  - A. \*Director's Appointment Letters and the Approval of the Length of Appointment **ACTION**
  - B. Goodbye and Good Luck to Gina Session, Jim Connelley, John O'Brien, Rick Gimlin and Martin Larreneta **INFORMATION**
  - C. \* Approval of Minutes from February 12 & 13, 2008 **ACTION**
  - D. \*Presentation by Charlie Frey on Nevada Viticulture Industry (Frey) **INFORMATION**
  - E. Presentation on Wildlife/Agriculture Issues by Bevin Lister, Member of the Nevada Board of Wildlife Commissioners (Lister) **INFORMATION**
  - F. Water Briefing by Joe Guild, Southern Nevada Water Authority (Guild) **INFORMATION**
  - G. Water Briefing by Dean Baker, Rancher (Baker) **INFORMATION**

- H. Discussion of and Possible Decision to Establish a Written Board Position on Water in Nevada **ACTION**
  - I. \*Goals and Objectives Update **INFORMATION**
3. **Director's Report (Lesperance) INFORMATION**
- A. \*Department Update
4. **Division of Administration (Groach/ Lesperance) INFORMATION**
- A. Budget Update
    - 1. \*FY2008 Board of Agriculture Budget
    - 2. \*FY2008 Department Summary
    - 3. Budget Reserves
  - B. Audit Update
    - 1. Progress Reports
      - a. \*Division of Internal Audits Report #08-03
      - b. \*Legislative Counsel Bureau Audit LA06-12
  - C. Division Update
    - 1. Pilot Project with the State Controller's Office
    - 2. Agriculture Web Page
    - 3. External Projects Completed by the Division
5. **Plant Industry Division**
- A. \*Division Update (O'Brien) **INFORMATION**
  - B. \*Request Permission to Adopt Changes to Fees for the Inspection and Grading of Agricultural Products, and Issuing Phytosanitary and Other Certificates LCB File No. R089-01 (O'Brien) **ACTION**
  - C. Introduction of Scott Marsh, Noxious Weeds Regulatory Specialist (Rafferty) **INFORMATION**
  - D. \*Noxious Weeds Program Update (Rafferty, Marsh) **INFORMATION**
  - E. \*Request permission to go to Workshop and Hearing for changes to NAC Chapter 555, Regulation of Nurseries and Nursery Stock (McKie) **ACTION**
  - F. \*Request to go to Workshop and Hearing on NAC 555.410 to Discontinue Monthly Restricted Use Pesticide Reporting Requirement for Urban and Structural Licensees (Moses) **ACTION**
  - G. \*Request to go to Workshop and Hearing on NAC 555.670 to Require a 6 Month Waiting Period Before Taking the Pesticide Exams, After Being Caught Cheating on an Exam (Moses) **ACTION**
  - H. \*Request to go to Workshop and Hearing on NAC 555.690 to Implement a Fee for Lost, Stolen or Damaged Credentials (Moses) **ACTION**
  - I. \*Approval of Proposed Changes to NAC 587.173 and NAC 587.175 Regarding Prohibited and Restricted Noxious Weed Seed (Marty) **ACTION**
  - J. \*Appointment of members to the Nevada Alfalfa Seed Advisory Board. Mike Phillips, Dan Hetrick, Jim List, Rod Diede, and Rick McClintick were recommended by the Nevada Alfalfa Seed Advisory Board at their April 10, 2008 meeting (Marty) **ACTION**
  - K. \*Approval of payment for National Alfalfa and Forage Alliance 2008 dues \$4,282.63 to be paid from the Alfalfa Seed Research and Promotion Account (Marty) **ACTION**
  - L. \*Appointment of Clifford Shirk to the Nevada Organic Advisory Council to fill a member vacancy due to resignation. Clifford Shirk was recommended by the Nevada

- Organic Advisory Council at their April 11, 2008 meeting (Marty) **ACTION**
- M. \*Ammonium Nitrate Update (Mason) **INFORMATION**
- N. \*U.S. EPA-Nevada Department of Agriculture Second Quarter Report (Moses) **INFORMATION**
- O. \*Non Compliance Report (Moses) **INFORMATION**
- P. \*Las Vegas Office Report and Building Assessment (Dapsauski) **INFORMATION**
6. **Measurement Standards Division (Grabski) INFORMATION**
- A. CIP Status
- B. Weights and Measures
1. Bureau report
    - a. Staffing
    - b. Inspection Status
    - c. GL Suite program status
    - d. Collection of fees status
  2. Temperature compensation at retail devices
    - a. \*Alaska prohibiting temperature compensation
7. **Board Business Continued**
- A. Introduction of Dr. Marc Johnson, Executive Vice President and Provost, University of Nevada (Lesperance) **INFORMATION**
- B. Update on Senator Harry Reid's Wilderness Proposal by Mary Connelley, Senator Harry Reid's office (Connelley) **INFORMATION**
- C. Update on Senator Harry Reid's Wilderness Proposal by Emery Thran, Coalition for Public Access (Thran) **INFORMATION**
8. **Petroleum Technology Bureau (Miller) INFORMATION**
- A. Petroleum Technology
1. \*Request to go to workshop and hearing to modify NAC 590 in order to accommodate year round ethanol blending of gasoline **ACTION**
    - a. With the signing of the 2007 Energy Independence and Security Act, the volume requirements for blending renewables into transportation fuels in the Federal Renewable Fuels Standard have been dramatically increased. For example, the 2008 requirement for blending ethanol increased from 5.4 to 9.0 billion gallons. As a result, the petroleum industry, through its various trade organizations and through individual company initiatives, has been actively engaged in many states seeking changes in state gasoline regulations aimed at facilitating the required ethanol blending
  2. Bureau Report **INFORMATION**
9. **Resource Protection Division (Spencer) INFORMATION**
- A. Division Update
10. **Livestock Identification Division (Collis/ Lesperance) INFORMATION**
- A. \*Division Update
- B. \*Budget Reorganization
- C. Brand Department

D. Enforcement Statistics

11. **Animal Industry Division**

A. \*Animal Disease Update (LaRussa) **INFORMATION**

1. Tuberculosis
2. T. fetus testing and NAC update

B. \*Virginia Range Estray Program Update (LaRussa) **INFORMATION**

C. \*National Animal Identification Update (Pecetti) **INFORMATION**

D. Presentation by Dr. Mark Atkinson, Nevada Department of Wildlife on the NDOW's Wildlife Health Plan (Atkinson) **INFORMATION**

E. Laboratory Update (Rink) **INFORMATION**

1. Arbovirus testing
2. \*Bighorn Sheep update
  - a. NDOW/UNR/NDOA position statement
  - b. Status of disease investigation into most recent die-offs
  - c. March 2008 workshop
3. Miscellaneous

12. **Department Employee comments and suggestions to the Board of Agriculture INFORMATION**

13. **Public Comments INFORMATION**

14. **Scheduling and Arrangements for next Board Meeting ACTION**

15. **Adjournment ACTION**

**ACTION** indicates that the Board may take action on an item. **INFORMATION** indicates an INFORMATION item for the Board. \*Denotes supporting documents in the Board Packet.

NOTE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please call Wendy Stewart at the Nevada Department of Agriculture, (775) 688-1180, ext. 281 as soon as possible.

Items on the agenda may not necessarily be considered in the order in which they appear on the agenda.

**Public Comment** during the Board meeting will be for all matters, both on and off the agenda, and be limited to two minutes per person. Additionally, public comment of two minutes per person will be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/ or attend and make comment on that agenda item at the Board meeting.

The Chairman and the Board of Agriculture intend that their proceedings should demonstrate the highest levels of decorum, civic responsibility, efficiency and mutual respect between citizens and their government. The Board respects the right of citizens to present differing opinions and views, even criticism, but our democracy cannot function effectively in an environment of personal attacks,

slander, threats of violence, and willful disruption. To that end, the Nevada Open Meeting Law provides the authority for the Chair of a public body to maintain the decorum and to declare a recess if needed to remove any person who is disrupting the meeting, and notice is hereby provided of the intent of this body to preserve the decorum and remove anyone who disrupts the proceedings.

The Nevada of Board Agriculture can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During public comment period, speakers may address matters listed or not listed on the published agenda. The Open Meeting Law does not expressly prohibit responses to public comment by the Board. However, responses from the Board to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Board will consider, Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for staff action, or ask that a matter be listed on a future agenda.

This Notice of Meeting has been posted at the following locations:

Reno Office  
Nevada Department of Agriculture  
350 Capitol Hill Avenue  
Reno NV 89502-2923

Winnemucca Office  
Nevada Department of Agriculture  
1200 E Winnemucca Boulevard  
Winnemucca NV 89445-2999

Elko Office  
Nevada Department of Agriculture  
4780 Idaho Street                      2300 McLeod Street  
Elko NV 89801-4672

Las Vegas Office  
Nevada Department of Agriculture  
Las Vegas NV 89104-4314

Sparks Office  
Nevada Department of Agriculture  
2150 Frazer Avenue  
Sparks NV 89431-5566