FORM #4

NEVADA STATE ENVIRONMENTAL COMMISSION
SMALL BUSINESS IMPACT DISCLOSURE PROCESS
PURSUANT TO 233B "Nevada Administrative Procedures Act"

Re: Petition R101-14 Proposed Carson River and Lahontan Reservoir Water Quality Standards Revisions

The purpose of this Form is to provide a framework pursuant to NRS 233B.0608 for drafting and submitting a Small Business Impact Statement (SBIS) to the State Environmental Commission (SEC) and to determine whether a SBIS is required to be noticed and available at the public workshop. A SBIS must be completed and submitted to the Legislative Counsel Bureau for ALL adopted regulations.

Note: Small Business is defined as a "business conducted for profit which employs fewer than 150 full-time or part-time employees" (NRS 233B.0382).

To determine whether a SBIS must be noticed and available at the public workshop, answer the following questions:

1. Does this proposed regulation impose a direct and significant economic burden upon a small business? *(state yes or no. If no, please explain and submit the applicable documentation, which can also be addressed in #8 on the SBIS and simply referred to; and if yes, reference the attached SBIS)*

> *No. The proposed regulations will not impose a direct and significant economic burden upon a small business. Water quality standards in of themselves do not directly regulate small businesses, although standards do form the basis for effluent limits imposed by NDEP through the National Pollutant Discharge Elimination System (NPDES) permit program and the terms and conditions imposed through the Clean Water Act 401 program for any dredging or filling activity in Nevada waters. Currently, there are no active NPDES permits associated with small businesses for discharges to Lahontan Reservoir. The proposed changes are not expected to negatively impact any future permits as the proposed criteria for total phosphorus and alkalinity are less restrictive than the current criteria, and the proposed criterion for chloride is only slightly more restrictive than the current criterion.*

2. Does this proposed regulation restrict the formation, operation or expansion of a small business? *(state yes or no. If no, please explain and submit the applicable documentation, which can also be addressed in #8 on the SBIS and simply referred to; and if yes, reference the attached SBIS)*

> *No. The proposed regulations do not restrict the formation, operation or expansion of a small business.*

If **Yes** to either of questions 1 & 2, a SBIS must be noticed and available at the public workshop.

FORM #4
SMALL BUSINESS IMPACT STATEMENT
(NRS 233B.0609)

1. Describe the manner in which comment was solicited from affected small businesses, a summary of the response from small businesses and an explanation of the manner in which other interested persons may obtain a copy of the summary. *(Attach copies of the comments received and copies of any workshop attendance sheets noting which are small businesses.)*

A rationale explaining the proposed changes to the water quality standards was prepared and distributed to a broad audience through email, the NDEP website, and at public workshops. Workshops to present the proposed changes and to solicit input were held in Carson City and Silver Springs on February 18 and 20, 2014, respectively and also in Carson City and Silver Springs November 2 and 4, 2015 respectively. Notices for these workshops were published in the Reno Gazette Journal, Nevada Appeal and Lahontan Valley News, distributed via email and posted on NDEP's website. See attached sign-in sheet for small businesses in attendance. No comments were received from small businesses.

2. The manner in which the analysis was conducted (if an impact was determined).

Not applicable. The proposed regulations do not impose direct and significant impacts to small businesses.

3. The estimated economic effect of the proposed regulation on small businesses:

a. Both adverse and beneficial effects
b. Both direct and indirect effects

Not applicable. The proposed regulations do not impose direct and significant impacts to small businesses.

4. A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of the methods. *(Include a discussion of any considerations of the methods listed below.)*

A. Simplification of the proposed regulation
B. Establishment of different standards of compliance for a small business
C. Modification of fees or fines so that a small business is authorized to pay a lower fee or fine.

Not applicable. The proposed regulations do not impose direct and significant impacts to small businesses.

5. The estimated cost to the agency for enforcement of the proposed regulation. *(Include a discussion of the methods used to estimate those costs)*

The proposed regulation changes will not affect the cost to the agency for enforcement.

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

There are no existing fees and no new fees are proposed.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, provide an explanation of why the proposed regulation is duplicative or more stringent and why it is necessary.

The proposed regulations are not duplicative or more stringent than other water quality standards. There are no other state or government agency regulations which the proposed regulations duplicate.

8. The reasons for the conclusions regarding the impact of a regulation on small businesses.

Water quality standards in of themselves do not directly regulate small businesses, although standards do form the basis for effluent limits imposed by NDEP through the National Pollutant Discharge Elimination System (NPDES) permit program and the terms and conditions imposed through the Clean Water Act 401 program for any dredging or filling activity in Nevada. Currently, there are no active NPDES permits associated with small businesses for discharges to Lahontan Reservoir. The proposed criteria for total phosphorus and alkalinity are less restrictive and the proposed criterion for chloride is only slightly more restrictive than what currently exist.

I certify that to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on a small business and that the information contained in this statement is accurate.

David Emme
Administrator, NDEP

11/24/15
Date

http://www.leg.state.nv.us/Statutes/77th2013/Stats201314.html#Stats201314page2304

Lahontan Reservoir Water Quality Standards Review Public Workshop – February 18, 2014, 2:00 PM
Bryan Building, 2nd Floor, Carson City, NV

Name	Representing	Email
ROB SCANLAND	BOR	rscanland@usbr.gov
Rusty JARDINE	TCID	rusty@tcid.org
David Friedman	Superfund - NDEP	dfriedman@ndep.nv.gov
Mai-Linh Nguyen	BWPC - NDEP	mnguyen@ndep.nv.gov
John Buzzone	Stantec	john.buzzone@stantec.com
Jeff Cudzo	Stantec	jeff.cudzo@stantec.com
Alex Lanza	NDEP	alanza@ndep.nv.gov
Tim Sweeney	Silver State Labs *	tsweeney@ssalabs.com
* Small Business		

Lahontan Reservoir Water Quality Standards Review Public Workshop – February 20, 2014, 2:00 PM
Hillyard Hall, Silver Springs, NV

Name	Representing	Email
Beverly J Harry	PLPT	bjharry@plpt.nsn.us
Kameron Morgan	PLPT	kmorgan@plpt.nsn.us
Nancy Vucinich	PLF	nvucinich@plpt.nsn.us
Norm & Sue Frey	Self	normfrey@phonewave.net
Wallace Stone	FPST Wetlands	wetlandsmgr@FPSt.org
Elijah [illegible]	FPST Wetlands	
Terri Svetich	City of Reno	svetichtr@reno.gov
Richard Svetich	S³ Concepts *	Rjsvetich@gmail.com
Ed James	CWSD	
Carmen Gonzales	Fallon Paiute-Shoshone Tribe	Carmen@enviro-fpst.org
* Small Business		

Lahontan Reservoir Water Quality Standards Review Public Workshop – November 2, 2015, 2:00 PM
Bryan Building, 2nd Floor, Carson City, NV

Name	Representing	Email
CHRIS MAHANNAH	Churchill Co.	chris@mahzo.com
Ed James	CWSD	edjames@cwsd.org
Brian Wadsworth	PLPT	bwadsworth@plpt.nsn.us
Kameron Morgan	PLPT	kmorgan@plpt.nsn.us
WALTER WINDER	TCID	WALT@TCID.ORG
Rusty JARONE	TCID	rusty@tcid.org

Lahontan Reservoir Water Quality Standards Review Public Workshop – November 4, 2015, 2:00 PM
Hillyard Hall, Silver Springs, NV

Name	Representing	Email
Stephanie Wilson	EPA	wilson.stephanie@epa.gov