

FORM #4
NEVADA STATE ENVIRONMENTAL COMMISSION
SMALL BUSINESS IMPACT DISCLOSURE PROCESS
PURSUANT TO 233B “Nevada Administrative Procedures Act”

Re.: Agency Draft P2014-11

By: Nevada Division of Environmental Protection, Bureau of Safe Drinking Water

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. See SBIS #8.

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. See SBIS #8.

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 identified as a small business.)*

Not Applicable. No adverse impact is expected to occur on small business. The Builder's Association of Northern Nevada and the Washoe County Health District were the initial proponents of the regulation amendment being facilitated by the NDEP. Presumed beneficial business effects were discussed at public workshops held November 18, 2014 and the NDEP sought comment on concurrence or disagreement with those assumptions. No comments were received.

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

Not Applicable

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

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

The proposed amendment will involve the Division and the local Health Authority in the review and approval process earlier in the planning timeline, and will provide more time for addressing engineering concerns before a developer submits the Final Map. It is expected that it will result in both immediate and long-term beneficial effects. The proposal would allow developers to begin grading of land and utility construction earlier, if desired, potentially moving development along more quickly. No adverse effects are anticipated.

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.

The State is proposing to adopt these revisions in order to allow the land development community to have options for engineering design plan review and approval while properly protecting public health and the environment. The proposal is intended to provide an optional alternative to the current process and improve project timing which currently prevents any construction without Final Map approval.

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 amendment only changes the process of document submittal and review in order to be responsive to land developers who wish to perform grading and construction prior to Final Map approval for a subdivision. The amendment does not change the overall agency program requirements.

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.

This regulation amendment does not propose new or increased fees. Section 5 of the amendment proposes to split an existing fee into two parts to reflect the proposed improvement plan and Final Map processing sequence. The respective level of effort involved in each portion of the plan review process is reflected in the split.

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 such duplicative or more stringent provisions are necessary.

This regulation amendment will not overlap or duplicate any Local, State or Federal regulation. The Division and the local health authorities operate under the same provisions.

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

This is a proposed amendment to existing Regulations to provide an optional alternate sequence of plan submittal for Agency review and approval. The proposal was initiated by the business community in an effort to improve regulatory processes.

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.



Administrator, NDEP



Date