

## Permanent Regulation - Filing Statement

Nevada Division of Environmental Protection  
**Bureau of Water Pollution Control**

Legislative Review of Adopted Regulations as Required  
By Administrative Procedures Act, NRS 233B.066

### **State Environmental Commission (SEC)** **LCB File No. R152-08** SEC # P2008-12

#### **Regulation R152-08: Transfer of Regulatory Authorities for Subdivision Review:**

The purpose of this regulation is to complete the transfer of authorities covered by Senate Bill SB395. SB395 was passed in 2005; among other actions the legislation transferred statutory and regulatory authorities for subdivision review programs (contained in NRS and NAC 278 respectively) from the Nevada Division of Health to the Nevada Division of Environmental Protection (NDEP). Accordingly, this regulation revises the text references of "Health Division" to "Division of Environmental Protection." The regulation was originally adopted by the State Board of Health in 1982 in order to implement the statutory responsibilities contained in NRS 278.

1. A description of how public comment was solicited, a summary of public response and an explanation of how other interested persons may obtain a copy of the summary. The Nevada Division of Environmental Protection, Bureau of Water Pollution Control held three public workshops on the above referenced regulation at the locations noted below.

Las Vegas	Carson City	Elko
Wednesday, November 5, 2008 - 2:00PM - 3:00PM Department of Conservation and Natural Resources - Nevada Division of Environmental Protection 2030 E. Flamingo Suite 230 Las Vegas, Nevada 89119	Tuesday, November 4, 2008 - 2:00PM - 3:00pm Department of Conservation and Natural Resources - Nevada Division of Environmental Protection 901 South Stewart Street - Humboldt Conference Room Carson City, Nevada 89701	Tuesday, November 4, 2008 - 2:00PM - 3:00pm City Hall 1751 College Avenue Elko, Nevada 89801

Following these workshops, the State Environmental Commission (SEC) held a public hearing to consider the regulation on November 12, 2008. The hearing was held at the Nevada Department of Wildlife's Conference Room A, 1100 Valley Road, Reno, Nevada. The SEC hearing agenda was posted at the meeting location, at the State Library in Carson City, and at the Offices of the Division of Environmental Protection

in Carson City and Las Vegas. Copies of the agenda, the public notice, and the proposed regulation were also made available to all public libraries throughout the state as well as to individuals on the SEC electronic and ground-based mailing lists.

The public notice for the regulation was published on Monday October 13 and 27, 2008, and on November 3<sup>rd</sup> 2008 in the Las Vegas Review Journal and Reno Gazette Journal newspapers. Information about the regulation was also made available on the SEC website at: [http://www.sec.nv.gov/main/hearing\\_111208.htm](http://www.sec.nv.gov/main/hearing_111208.htm)

**2. The number persons who attended the SEC Regulatory Hearing:**

- (a) Attended November 12, 2008 hearing; 30 (approx.)
- (b) Testified on this Petition at the hearing: 1 (1 NDEP Staff)
- (c) Submitted to the agency written comments: 0

**3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation of how other interested persons may obtain a copy of the summary.**

Comments were solicited from affected businesses as indicated in number 1 above.

**4. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The State Environmental Commission adopted the regulation that was presented at the meeting with out any changes.

**5. The estimated economic effect of the adopted regulation on the business which it is to regulate and on the public.**

This regulation will not have an immediate or long-term adverse economic impact on the public or the business community

**6. The estimated cost to the agency for enforcement of the adopted regulation.**

There will be no additional cost to the agency for enforcement of the proposed regulation.

**7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

The regulation does not overlap or duplicate any regulations of other state or government agencies.

8. If the regulation includes provisions which are more stringent than a federal regulation, which regulates the same activity, a summary of such provisions.

The regulation is not more stringent than any local or federal laws and regulations.

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

The proposed regulation does not address any fees.