



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

*Jim Gibbons, Governor*

*Allen Biaggi, Director*

*Leo M. Drozdoff, P.E., Administrator*

## NOTICE OF INTENT TO ACT UPON A REGULATION

### Notice of Hearing for the Amendment of Regulations of the Nevada Division of Environmental Protection

**Web Posting Date: 10/17/08**

The Administrator is proposing various changes to the regulations governing the Subdivision Review Program. The Nevada Division of Environmental Protection will hold public hearings and workshops at the following locations to solicit comments from interested parties:

#### Las Vegas

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

#### Carson City

Tuesday, November 4, 2008 - 2:00PM - 3:00pm

Department of Conservation and Natural Resources - Nevada Division of Environmental Protection

Bureau of Water Pollution Control

901 South Stewart Street - Humboldt Conference Room (3<sup>rd</sup> floor South)

Carson City, Nevada 89701

#### Elko

Tuesday, November 4, 2008 - 2:00PM - 3:00pm

City Hall

1751 College Avenue

Elko, Nevada 89801

The Nevada Division of Environmental Protection (NDEP) is seeking approval for its Proposed Subdivision Regulations. The proposed regulations are to complete the transfer of authorities covered by Senate Bill (SB) 395. SB395, passed in the 2005 Legislative session transferred statutory and regulatory authorities for Subdivision Review Programs (Nevada Revised Statute (NRS) and Nevada Administrative Code (NAC) 278) from the Nevada Division of Health to the Nevada Division of Environmental Protection (NDEP). **The proposed regulations revise the text references of "Health Division" to "Division of Environmental Protection."** The above referenced regulations were originally adopted by the State Board of Health in 1982 in order to implement the statutory responsibilities of NRS 278. These responsibilities were transferred to

NDEP by SB 395. These responsibilities include the review of tentative maps and approval of final subdivision maps. Final map approval, as amended by SB 395, is found in NRS 278.377.

The proposed regulations will not have an economic impact, either immediate or long term, on the regulated industry and small businesses. The proposed regulation changes have beneficial effects for the regulated industry through a streamlined process within the NDEP. There will be no additional costs to the agency for enforcement of these amendments. The amended regulations do not include any new provisions, which are more stringent than federal regulations. Furthermore, they do not overlap, duplicate or are in conflict with any regulations of other state or government agencies.

Persons wishing to comment or object to any of the Administrator's proposed regulation changes may do so by attending a workshop and making public comment, or submitting their comment, in writing, by November 5, 2008 either in person or by mail to:

Department of Conservation and Natural Resources  
Division of Environmental Protection  
Bureau of Water Pollution Control  
901 South Stewart Street - Suite 4001  
Carson City, Nevada 89701  
Attn: Clifford M. Lawson, P.E.

All comments or objections received within the thirty (30) day comment period will be considered in the formulation of final determinations regarding the proposed regulation changes. All comments must be received by November 5, 2008. If the determinations of the Administrator are substantially changed from the tentative determinations, the Administrator will give public notice of the revised determinations. Additional comments and objections will be considered at that time.

The proposed changes to the regulations for the Subdivision Review Program are:

1. Available on the NDEP website at [http://ndep.nv.gov/admin/public.htm#water\\_p](http://ndep.nv.gov/admin/public.htm#water_p)
2. On file and may be copied or copies may be obtained by writing to the above address or by calling Cliff Lawson or Kim Meyers in the Bureau of Water Pollution Control at (775) 687-9435 or (775) 687-9442 respectively.
3. Please submit e-mails comments to: Cliff Lawson - [clawson@ndep.nv.gov](mailto:clawson@ndep.nv.gov)

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall 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.

Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify Kim Meyers no later than 5 business days before the workshop you plan to attend.

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

Nevada State Library  
100 North Stewart Street  
Carson City, NV 89701

Division of Environmental Protection  
901 South Stewart Street - Suite 4001  
Carson City, NV 89701

Division of Environmental Protection  
2030 East Flamingo Road Suite 230  
Las Vegas, Nevada 89119-0837