

Criteria, subdivisions, NAC 278.020 to NAC 278.520

**FORM FOR PETITIONING THE STATE ENVIRONMENTAL COMMISSION FOR ADOPTION,
FILING AMENDMENTS OR REPEAL OF COMMISSION REGULATIONS. Form #1**

1. Nevada Division of Environmental Protection
901 South Stewart Street, Suite 4001
Carson City, NV 89701-5249
(775) 687-4670
Date:

Jon Palm, PE, PhD, Chief
Bureau of Water Pollution Control
(775) 687-9433

Authorized Representative(s): Cliff Lawson, P.E., Technical Services Branch Supervisor
Bureau of Water Pollution Control
(775) 687-9414

2. The Nevada Division of Environmental Protection (NDEP) is a division of the Department of Conservation and Natural Resources of the State of Nevada. The NDEP is an environmental regulatory agency.
3. Nevada Revised Statutes (NRS) 445A.425, Powers and duty of Commission, establishes the authority of the State Environmental Commission to adopt regulations carrying out the provisions of NRS 445A.300 to 445A.730, Water Pollution Control, inclusive.

SPECIFIC CHANGES: Removes references to Health Division. All references to the Health Division in these regulations are replaced with references to the Nevada Division of Environmental Protection (Division) to consistent with Senate Bill (SB) 395.

4. **NEED FOR AND PURPOSE:** Modification of NAC 278.020 to NAC 278.520 (inclusive) to reflect changes to the Subdivision of Land regulations. This regulation completes the transfer of authorities covered by 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 NDEP. 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.

5. (a) Regulated Business/Industry. The proposed regulation will have no significant economic effect on the regulated business/industry.
- (b) Public. The proposed regulation will have no economic effect on the public.
- (c) Enforcing Agency. The proposed regulation will have no economic effect on the NDEP.
6. The proposed regulation does not overlap nor duplicate any regulations of other State or governmental agencies.
7. This regulation does not include provisions which are more stringent than federal regulations
8. The proposed regulation does not include a new fee nor increase an existing fee.

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

Agency: Nevada Division of Environmental Protection
Bureau: Water Pollution Control
Branch: Technical Services Branch – Subdivision Program
Authority: §1-25, NRS 445A.855 and 445A.860.

Proposed Action: Modification of NAC 278.020 to NAC 278.520 (inclusive) to reflect changes to the Subdivision of Land regulations. This regulation completes 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 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:

Date of Disclosure Document: June 4, 2008

FORM # 4 - Part - 1

1. Does this proposed regulation impose a direct and significant economic burden upon a small business?

No.

2. Does this proposed regulation restrict the formation; operation or expansion of a small business?

No.