



State of Nevada

Dept. of Conservation & Natural Resources

State Environmental Commission SEC.nv.gov

901 South Stewart Street, Suite 4001, Carson City, Nevada 89701

Agenda SEC Regulatory Meeting

The State Environmental Commission (SEC) will hold a meeting on **Thursday, January 19, 2023, at 09:00 am in Carson City**. Capacity at the physical locations is limited; remote participation is encouraged.

Join the meeting https://teams.microsoft.com/l/meetup-join/19%3ameeting_NGEzOWJjZWQzMzgxNi00YTE1LWJmYTEtYzA2YTQ0M2I4MG10%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%22ddd8c148-951a-40a2-8a5f-489f3867594b%22%7d

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Please Note: This is a stacked agenda, and the following items may be taken out of order and/or combined for consideration. Items may also be removed from the agenda, or the SEC may delay discussion relating to an item on the agenda at any time. No public comment may be taken on a contested case or quasi-judicial proceeding prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual. See NRS 233B.126.

1) Call to Order, Roll Call, Establish Quorum (Discussion only)

2) Public Comment:

Members of the public will be invited to speak before the SEC; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to three minutes per person at the discretion of the chairperson.

3) Approval of December 14, 2022, Summary Meeting Minutes (For Discussion and Possible Action)

- 4) **Dismissal of The Boring Company's Appeal of the Nevada Division of Environmental Protection's Finding of Alleged Violation and Order NOV051320W1 (For Discussion and Possible Action)**

Regulatory Petitions

- 5) **Permanent Regulatory Petition R130-22 - Bureau of Safe Drinking Water (For Possible Action)**

R130-22 proposes to increase the fees for the Division's environmental Laboratory Certification Program (LCP).

- 6) **Permanent Regulatory Petition R113-22 - Bureau of Water Quality Planning (For Possible Action)**

R113-22 proposes to amend the Nevada Administrative Code to establish provisions for antidegradation protection of surface waters of the State as required by Nevada Revised Statute 445A.565, and to set forth a process for classifying certain surface waters of the State which have exceptional water quality condition, unique water quality characteristic, or ecological, aesthetic, or recreational value, as Ecological, Aesthetic or Recreational Waters. This classification will provide a higher level of antidegradation protection to maintain and protect these water quality conditions or special values.

- 7) **Administrator's Briefing to the Commission: (Discussion Only)** Administrator Greg Lovato will provide the Commission general management updates.
- 8) **Public Comment:** Members of the public will be invited to speak before the SEC; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda as an item for possible action. Public comment may be limited to three minutes per person at the discretion of the chairperson.
- 9) **Adjournment**

Additional Information: Persons wishing to comment on the proposed actions of the State Environmental Commission (SEC) may appear at the scheduled public hearing or may address their comments, data, views, or arguments in written form to: **State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249**. The SEC must receive written submissions at least five days before the scheduled public hearing.

If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the SEC may proceed immediately to act upon any written submissions.

Members of the public can inspect copies of any regulations to be adopted at the State Library and Archives in Carson City (**100 Stewart Street**), and at the offices of the Division of Environmental Protection in Carson City and Las Vegas. The Carson City office is located at **901 South Stewart Street, Suite 4001**, and the Las Vegas office at **375 East Warm Springs Road, Suite 200**.

As required by the provisions of chapters 233B and 241 of Nevada Revised Statutes, the public notice for this hearing was posted at the following locations: the Bryan Building (**901 South Stewart Street, Carson City, Nevada**); the offices of the Division of Environmental Protection in Las Vegas (**375 East Warm Springs Road, Suite 200**), the Nevada Division of Minerals, **400 W. King Street, Carson City, NV** and at the Nevada Department of Agriculture (**405 South 21st Street, Sparks, Nevada**).

In addition, copies of this notice have been deposited electronically at major library branches in each county in Nevada. This notice and the text of the proposed regulations are also available on the State Environmental Commission's website at <https://sec.nv.gov/meetings/sec-regulatory-meeting-january-19-2023>. Any proposed regulations denoted in this notice, including previous drafts, are or will be posted on the Legislative Counsel Bureau's website.

Members of the public who would like to inspect all supporting materials for this meeting or members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, the Nevada State Environmental Commission, in care of Sheryl Fontaine, Executive Secretary, **901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249**, facsimile **(775) 687-5856**, or by calling **(775) 687-9374** no later than 5:00 p.m. on January 12, 2023.