

**PROPOSED REGULATION OF THE
STATE FORESTER FIREWARDEN**

LCB File No. R049-24

April 3, 2024

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: § 1, NRS 528.105.

A REGULATION relating to state nurseries; repealing certain criteria for eligibility for distribution of conservation plant materials for planting on private property; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the State Forester Firewarden of the Division of Forestry of the State Department of Conservation and Natural Resources to take certain actions, subject to the approval of the Director of the Department, to establish and develop state nursery sites for the procurement and production, research and display of forest tree seeds and conservation plant materials. (NRS 528.100) Existing law requires that any such state nursery operate under management of the State Forester Firewarden and authorizes the State Forester Firewarden to: (1) distribute conservation plant materials for planting on private property for certain specific purposes related to conservation; and (2) set by regulation the criteria for eligibility for distribution of such conservation plant materials. (NRS 528.105)

Existing regulations establish that the criteria for eligibility for distribution of such plant materials to private landowners in Nevada are that the land on which the plants are to be planted must: (1) consist of a total area of 1 acre or more, whether on a single parcel or a combination of contiguous parcels; and (2) be entirely outside the city limits of any incorporated city, except that in Carson City it must be outside the designated urban area of the city. (NAC 528.110) This regulation repeals these criteria from the Nevada Administrative Code.

Section 1. NAC 528.110 is hereby repealed.

TEXT OF REPEALED SECTION

528.110 Sale of plant materials to private landowners. The criteria for eligibility for distribution of plant materials to private landowners in Nevada are:

1. The land on which the plants are to be planted must consist of a parcel containing 1 acre or more, or 2 or more contiguous parcels owned by different owners if those parcels total 1 acre or more; and

2. The land must be entirely outside the city limits of any incorporated city of this state, except that in Carson City the land must be outside the designated urban area of the city.