



NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption of Regulations of the Nevada State Board of Landscape Architecture

The Nevada State Board Landscape Architecture will hold a public hearing at 1:00 pm., on the 10th of August of 2018, at Conference Room, Suite 115, 1575 Delucchi Lane, Reno, NV 89502 and phone conference at Southwick Landscape Architects, 1700 West Horizon Ridge Parkway, Suite 203, Henderson, NV 89012. The purpose of the hearing is to receive comments from all interested persons regarding the Adoption regulations that pertain to chapter 623A of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of [NRS 233B.0603](#):

1) The need for and the purpose of the proposed regulation or amendment:

The Administration of Continuing Education as set forth in NRS623A.215. The proposed regulations stated in R083-18 would set forth the credit hours, educational activities, reporting methods, auditing methods and non-compliance requirements, and other matters that may pertain to this subject.

The proposed regulations in R082-18 make changes to the authority of the Executive Director as it pertains to investigation of complaints. Various changes in the fees proposed to increase the not-to-exceed amounts by the board. Increasing the not-to-exceed fees, will allow the board to increase fees in the future if and when inflation increases the cost of the board. Currently, the board does not contemplate increases.

The proposed changes will have a minimal effect on small businesses within the Landscape Architecture profession. There are currently 36 states that require continuing education to renew licensure. The licensees may be able to utilize the approved continuing education credits taken for another jurisdiction.

Allowing the Executive Director to investigate complaints and follow through with the investigation, so as not to have the Board President or assigned Board Member recuse themselves if the Board is to sit as a hearing board on a complaint.

2. Not Applicable

3. How to obtain the permanent regulation, as approved:

A copy of the approved regulations may be downloaded from the website, [nsbla.nv.gov/board/rules & regulations](http://nsbla.nv.gov/board/rules®ulations); by contacting the Nevada State Board Landscape Architecture at P.O. Box 34143, Reno, NV 89523; contacting the Nevada State library in Carson City, NV.

4. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and, in each case, must include:

During the 3 workshops in 2017 & 2018, the participants were asked about the economic impact on their business if the changes are made. The majority stated that it was not deemed an economic burden. For the Continuing Education, all were currently taking courses to keep up with the changing landscape of the profession. As for the increase in costs to attend workshops and seminars, it was

also said to be the cost of doing business when inflation increases and the Consumer Price Index increases. There are many workshops, on-line courses and seminars that are free to the participants through various associations and organizations. The immediate effect will be for those licensees that are not regularly taking continuing education courses maybe subject to time management issues. As for long term effects, this will increase the body of knowledge of the licensees to keep up with new innovations in the field.

For the public, this will provide for a better educated professional when hired to preform work. The adverse affect may be that the professional is not immediately available for a project as time management may constrain the ability to participate in a continuing education course or start a client's project. In the long term, the public will benefit from a professional that has the knowledge of the new innovations being use in the industry.

5. The methods used by the agency in determining the impact on a small business.

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

The Board anticipates a minimal cost increase in time spent auditing and enforcing the regulations. The Board proposes to establish a percentage of licensees each year to be audited. The audit will consist of the licensee presenting copies of certificates of courses completed and/or summaries of articles read. A part-time or temporary person may be employed to assist in the audit.

As for the Executive Director investigating the complaints, as proposed in R082-18, the Executive Director as in the current regulations reviews the complaint with the President or Designated Board member. The amendment would eliminate the extra step of setting up a meeting with the President or Board member, allowing the investigation to be more efficient in time and money.

7. There is no regulations of other state. Local or Federal governmental agencies that overlaps or duplicates the proposed regulations.

8. The proposed regulations are not required pursuant to federal law.

9. There are no federal regulations requiring these regulations.

10. The proposed regulations in R082-18 increases the not-to-exceed fees.

11. Not Applicable

Persons wishing to comment upon the proposed action of The Nevada State Board Landscape Architecture may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to The Nevada State Board Landscape Architecture, P. O. Box 34143, Reno, NV 89533 or at LandscapeBoard@nsbla.nv.gov. Written submissions must be received by The Nevada State Board Landscape Architecture on or before August 9, 2018. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Board of Landscape Architecture may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be Adopted will be on file at the State Library, Archives and Public Records, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be Adopted will be available at The Nevada State Board Landscape Architecture, 1575 Delucchi Lane, Suite 115-11, Reno, NV 89502, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to [NRS 233B.0653](#), and on the Internet at <http://www.leg.state.nv.us/>. Copies of this notice and the proposed regulation will also be mailed to members of the public at no charge upon request.

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.

This notice of hearing has been posted at the following locations:

- A. Nevada State Board of Landscape Architecture, 1575 DeLucchi Lane, Suite 115-11, Reno, NV 89502
- B. Truckee Meadows Community College, Pennington Applied Science Center, 475 Edison Way, Reno, NV 89502
- C. University of Nevada, School of Architecture, 4505 S. Maryland Pkwy, Las Vegas, NV 89154
- D. City of Henderson, 240 Water Street, Henderson, NV 89015
- E. Nevada Department of Transportation, 1263 South Stewart Street, Carson City, NV 89712
- F. Nevada State Board of Landscape Architecture Web-site
- G. Southwick Landscape Architects 1700 West Horizon Ridge Parkway, Suite 203, Henderson, NV 89012
- H. The following Nevada Libraries and Clerks' Office:

Carson City Library
900 North Roop Street
Carson City, Nevada 89701-3101
sloyd@carson.org

Lincoln County Library
P.O. Box 33063
63 Main Street
Pioche, Nevada 89043

Churchill County Library
553 South Main Street
Fallon, Nevada 89406-3306
info@churchillcountylibrary.org

Lyon County Library System
20 Nevin Way
Yerington, Nevada 89447-2399
ageddes@lyon-county.org

Las Vegas-Clark County Library District
Headquarters
833 Las Vegas Boulevard North
Las Vegas, Nevada 89101-2062
administration@lvccld.org

Mineral County Public Library
P.O. Box 1390
Hawthorne, Nevada 89415

Douglas County Public Library
1625 Library Lane
Minden, Nevada 89423-0337
info@douglas.lib.nv.us

Pershing County Library
1125 Central Avenue
Lovelock, Nevada 89419
Fax: (775) 273-0421

Elko County Library
720 Court Street
Elko, Nevada 89801-3397
krkincai@clan.lib.nv.us

Storey County Public Library
P.O. Drawer 980
Virginia City, Nevada 89440

Esmeralda County Library
Corner of Crook & 4th Street
P.O. Box 430
Goldfield, Nevada 89013-0430
kemacdon@clan.lib.nv.us

Tonopah Public Library
P.O. Box 449
Tonopah, Nevada 89049
tonopahlibrary@hotmail.com

Eureka County Library
10190 Monroe Street
Eureka, Nevada 89316
rrevans@clan.lib.nv.us

Washoe County Library System
301 South Center Street
Reno, Nevada 89501-2102
atavener@washoecounty.us

Humboldt County Library
85 East 5th Street
Winnemucca, Nevada 89445-3095
cyndi.o@hcnv.us

Battle Mountain Branch Library
625 South Broad Street
Battle Mountain, Nevada 89820
krkincai@clan.lib.nv.us

White Pine County Library
950 Campton Street
Ely, Nevada 89301
lromero@clan.lib.nv.us