

**STATE OF NEVADA**  
**Colorado River Commission of Nevada**  
**Minutes of Workshop to Solicit Comments**  
**on Proposed Regulations**  
**NAC 538.060**

The workshop was held at 1:30 p.m. on Thursday, June 25, 2020 via teleconference, pursuant to Emergency Directive 006, section 1.

**STAFF MEMBERS PRESENT**

Eric Witkoski  
Christine Guerci-Nyhus  
Gina Goodman  
Kira Bakke

Executive Director  
Special Counsel, Attorney General  
Office Manager  
Administrative Assistant IV

**OTHERS PRESENT, REPRESENTING**

Mike Hulin  
David Stoft

NV Energy  
Clark County Water Reclamation District

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The workshop was conducted in accordance with Nevada's Open Meeting Law.

The Notice of Workshop, Agenda, and the proposed regulation change are attached to and made a part of the minutes. (See Attachment A.)

Eric Witkoski, Executive Director of the Colorado River Commission of Nevada welcomed attendees to the Commission's Regulation Workshop.

The Workshop was called to solicit comments on a proposed change to chapter 538 of the Nevada Administrative Code. A copy of the proposed change is available on the Commission's website.

The Commission is proposing the repeal of NAC 538.060 Office of Commission. This regulation was added to the regulatory framework in 1985, approximately thirty-five years ago and then updated when the Grant Sawyer Office Building was opened.

NAC 538.060 states that "The principal office of the Commission is located at 555 East Washington Avenue, Suite 3100, Las Vegas, Nevada. The office of the Commission will be open from 8 a.m. to 5 p.m. each day except on a Saturday, Sunday or legal holiday."

The Commission would like to repeal this regulation due to the outdated schedule requirement and the need for flexibility in location of the Commission office.

There are ongoing issues surrounding the Grant Sawyer building and the state may seek to move the Commission out of the building, or the Commission may desire to secure a new location for

its office. NRS 538.121 gives the Executive Director the authority to determine the precise location of the Commission's office, provided it is located in Clark County.

The hours requirement in the regulation is a carryover of the old NRS 281.110 which previously required state office to have hours of 8 am - 5 pm Monday to Friday. This statute was amended in 2011 to remove that requirement and allow for variable schedules with the requirement that office hours be posted near the agency's entrance and on the agency's website.

After the Workshop ends, Commission staff will review the comments received and submit the proposed repeal to the Legislative Counsel Bureau for its review. In the fall, the Commission will hold an Adoption Hearing on this proposed repeal. The public is encouraged to attend and provide further comment to the Commission at the Adoption Hearing.

The Workshop was then opened to receive comments on the proposed repeal. Mr. Witkoski asked commenters to clearly state and spell their names for the record.

There were no comments.

The Workshop was concluded at 1:35 pm.

STEVE SISOLAK, *Governor*  
PUOY K. PREMSRIRUT, *Chairwoman*  
KARA J. KELLEY, *Vice Chairwoman*  
ERIC WITKOSKI, *Executive Director*



JAMES B. GIBSON, *Commissioner*  
MARILYN KIRKPATRICK, *Commissioner*  
ALLEN J. PULIZ, *Commissioner*  
DAN H. STEWART, *Commissioner*  
CODY T. WINTERTON, *Commissioner*

## COLORADO RIVER COMMISSION OF NEVADA

June 9, 2020

### NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS COLORADO RIVER COMMISSION OF NEVADA

The Colorado River Commission of Nevada ("Commission") will conduct a public workshop.

**Date and Time:** June 25, 2020, 1:30 PM

**Conference Call Line:** 1-702-329-3435  
**Access code:** 626787555#

***Pursuant to Emergency Directive 006, section 1, there will be no physical location for the meeting.***

The Commission is proposing the Repeal of

*NAC 538.060 Office of Commission*

The purpose of the workshop is to solicit comments from interested persons on the following general topics that were addressed in the repealed regulation:

- Location of the office of the Commission; and
- Office hours for the Commission.

A copy of all materials relating to the proposals may be obtained on the Commission's website at [www.crc.nv.gov](http://www.crc.nv.gov), at the workshop or by contacting:

Kira Bakke, Administrative Assistant IV  
Colorado River Commission of Nevada  
555 E. Washington Avenue, Suite 3100  
Las Vegas, NV 89101  
[crcadmin@crc.nv.gov](mailto:crcadmin@crc.nv.gov)  
702-486-2670

The agency's proposed regulation changes and small business impact statement are attached.

Persons wishing to comment upon the proposed regulation changes may provide oral and/or written comments at the workshop or submit written comments no later than 5 p.m. on Wednesday, June 24, 2020 to the Commission via email at [crcadmin@crc.nv.gov](mailto:crcadmin@crc.nv.gov) or by mail to the Commission's office at 555 E. Washington Avenue, Suite 3100, Las Vegas, NV 89101.

**NOTICE:** The Commission is pleased to make reasonable accommodations for persons who are disabled and wish to attend the workshop. If special arrangements are required, please notify the Colorado River Commission of Nevada in writing, 555 E. Washington Avenue, Suite 3100, Las Vegas, NV 89101 or by calling (702) 486-2670 at least 48 business hours prior to the meeting.

This Notice of Workshop to Solicit Comments on Proposed Regulation has been sent to all persons on the agency's mailing list and posted at the following locations:

Colorado River Commission of Nevada website: [www.crc.nv.gov](http://www.crc.nv.gov)

Nevada Public Notice website: <https://notice.nv.gov>

# SMALL BUSINESS IMPACT STATEMENT

LCB FILE NO. \_\_\_\_\_

The Colorado River Commission of Nevada (Commission) is an executive agency of the State of Nevada responsible for acquiring and managing Nevada's share of water and hydropower resources from the Colorado River. The Commission has been involved in the marketing and allocation of federal hydropower since 1936. The proposed repeal of regulation is necessary to ensure agency location and hours are flexible to meet the needs of its constituents.

Repeal of the following regulations:

*NAC 538.060 Office of Commission*

Pursuant to NRS 233B.0608 and NRS 233B.0609, the staff of the Commission has made a concerted effort to determine whether the proposed regulations are likely to (a) Impose a direct and significant economic burden upon small businesses, or (b) Directly restrict the formation, operation or expansion of a small business.

**(a) A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary:**

Because the Commission has not contracted, and does not anticipate contracting with a small business, Commission staff determined that there are no known small businesses that would be affected by the proposed revisions to its regulations. Therefore, no comments were solicited from small businesses and no subsequent summary has been issued.

**(b) The manner in which the small business analysis was conducted:**

Commission staff knowledgeable of the water and hydropower industries, reviewed the Commission's statutes, regulations and its federal contracting requirements, and determined that there are no known small businesses that would be affected by its proposed revisions to its regulations.

**(c) The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:**

**(1) Both adverse and beneficial effects:**

**(I) Adverse effects:**

No known or anticipated adverse effect on small businesses.

**(II) Beneficial effects:**

No known or anticipated beneficial effect to small businesses.

**(2) Both direct and indirect effects:**

**(I) Direct effect:**

No known or anticipated direct effect to small businesses.

**(II) Indirect effect:**

No known or anticipated indirect effect to small businesses.

**(d) A description of the methods that the Colorado River Commission of Nevada considered to reduce the impact of the proposed revisions to its regulations on small businesses and a statement whether the Commission actually used any part of those methods.**

The Commission has not considered a method to reduce the impact of its proposed regulations on small businesses at this time because the Commission has determined that there is no impact on small businesses.

**(e) The estimated cost to the Commission for enforcement of the proposed regulation.**

There is no cost to the Commission for enforcement of the proposed regulation.

**(f) If the Commission's proposed revisions to its regulations provides a new fee or increases an existing fee, the total annual amount the Commission expects to collect and the manner in which the money will be used.**

The Commission's proposed revisions to its regulations does not provide for a new fee or increase an existing fee.

**(g) If the Commission's proposed revisions to its regulations includes provisions which duplicate or are more stringent than federal, state, or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.**

The Commission's proposed revisions to its regulations does not duplicate any existing federal, state, or local standards regulating the same activity.

**(h) The reasons for the conclusions of Commission staff regarding the impact of its proposed revisions to its regulations on small businesses.**

Commission staff has concluded that there will be no impact to small businesses that will result from the adoption of the proposed regulations for the reasons set forth below:

1. Pursuant to NRS chapter 538 and 704, the Commission is limited to whom water and electric service can be provided;
2. The proposed repeal of the regulation removes various provisions that pertain to office location and hours are outdated;  
and
3. The proposed repeal of regulation does not impose a fee or other charge.

*I certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses, and the information contained in the Small Business Impact Statement was prepared properly and is accurate.*



Eric Witkowski  
Executive Director

6/9/20

Date

**NAC 538.060 is hereby repealed in its entirety:**

~~NAC 538.060 Office of Commission. The principal office of the Commission is located at 555 East Washington Avenue, Suite 3100, Las Vegas, Nevada. The office of the Commission will be open from 8 a.m. to 5 p.m. each day except on a Saturday, Sunday or legal holiday.~~