



Working with Communities to Protect Their Land Air and Water

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November 25, 2014

Colleen Cripps, Administrator
Nevada Division of Environmental Protection
901 South Stewart Street, Room 4001
Carson City, Nevada 90701-5249

Dear Dr. Cripps,

The Division of Environmental Protection (division) appears to have decided not to issue the revised NAC code corresponding to changes in the NRS 519A.230 that resulted from AB 346. GBRW requests an official explanation as to why there was a change in direction. Clearly the division saw a need for changes to the NAC, going all the way through the process of releasing the draft regulations and holding a hearing upon these changes. In addition, the agency created a second draft of the NAC that addressed GBRW's concern that the intent of the legislation as proposed by Assemblyman David Bobzien was not satisfied.

GBRW is also aware that the second draft of the NAC was reviewed by the Legislative Council Bureau (LCB). The results of that review was not made public; however, it is our understanding that LCB supported the second draft as consistent with the NRS and intent of AB 346.

It remains unclear why the division abandoned the drafted NAC. Why are these regulations no longer needed when the division was quiet dedicated to drafting revised NAC after the 2013 session and through November of 2013?

GBRW is available for further discussions on this matter.

Sincerely,

John Hadder,
Director

Cc Senator Harry Reid, Nevada Assemblyman David Bobzien, David Gaskin, Deputy Director NDEP, Bruce Holmgren, Bureau Chief BMMR NDEP, John Restrepo, Chair, Mining Oversight and Accountability Commission, Kyle Davis, Vice-Chair, Mining Oversight and Accountability Commission