

Joe Lombardo
Governor

Sheryl Fontaine
Board Advisor

Katie Armstrong
Senior Deputy Attorney General

STATE OF NEVADA



Board Members:
Bruce Scott, *Chair*
Andrew Belanger, *Vice Chair*
Abigail Yacoben
Mike Workman
Jeremy Hutchings

Non-Voting Member:
Danilo Dragoni

PUBLIC NOTICE

STATE BOARD FOR FINANCING WATER PROJECTS

June 3, 2026

9:00 AM

Location:

**The Richard H. Bryan Building
Bonnie B. Bryan Conference Room
901 South Steward Street, 1st Floor
Carson City, NV 89701**

Join the Meeting virtually at:

Microsoft Teams:

Meeting ID: 255 200 039 634 147
Passcode: z2kC7DS2

Call in by Phone (audio only)
United States: +1 (775) 321-6111
Meeting extension: 369 681 35#

For information: Contact: Benjamin Miller (775) 687-9321, or ndep-ofa@ndep.nv.gov.

The Board for Financing Water Projects (BFWP) will hold a public hearing to receive comments from all interested persons regarding adoption of permanent regulations that pertain to Chapter 349 of the Nevada Administrative Code (NAC).

A Notice of Intent to Act upon a Regulation is provided pursuant to Nevada Revised Statutes 233B.0603.

Permanent Regulation R124-24: Bureau of Administrative Services, Office of Financial Assistance – Establishes and revises provisions relating to financial assistance for water projects

R124-24 is proposing to amend the NAC Chapter 349 to amend the Capital Improvement Grant Program regulations to:

1. Align with the adoption of Assembly Bill (AB) 20 (83rd Session),
2. Align with the adoption of Senate Bill (SB) 150 (82nd Session),

3. Clarify requirements for each type of recipient,
4. Streamline and clarify Letter of Intent and Application processes,
5. Update regulations for Capital Improvement Grants scale,
6. Update fee and grant term language, and
7. Clean up outdated language and processes.

Note this regulatory petition was originally scheduled for the May 20, 2026, BFWP meeting but due to public noticing issues it was pulled from the agenda for that meeting and rescheduled.

Additional Information:

The Board for Financing Water Projects (BFWP) was created by NRS 349.957. Under NRS 445A.265, the Board is charged with approving the priority of projects applying for grant assistance and the review and approval of loans to water systems applying for assistance from the Drinking Water State Revolving Fund. Under NRS 349.982, the Board is charged with the administration of the programs that provide grants for capital improvements to publicly owned water systems, grants for improvements to conserve water and grants for Technical Support for Water Rights.

Persons wishing to comment on the proposed actions of the Board for Financing Water Projects may participate in the scheduled public hearing (virtually or by phone) or may address their comments, data, views, or arguments in written form to: Office of Financial Assistance, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. The OFA 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 BFWP may proceed immediately to act upon any written submissions.

Members of the public can inspect copies of the 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 is located 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), at the State Library and Archives building in Carson City (100 Stewart Street), the Nevada Division of Minerals, 400 W. King Street, Carson City, NV and the Department of Agriculture, 405 South 21st Street, Sparks, NV.

Address Questions to:

Sheryl Fontaine, Manager – Drinking Water SRF Program
Division of Environmental Protection
Office of Financial Assistance
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249
Phone: (775) 687-9374
Fax: (775) 687-5856
Email: sfontaine@ndep.nv.gov

Benjamin Miller
Division of Environmental Protection
Office of Financial Assistance
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249
Phone: (775) 697-9321
Fax: (775) 687-5856
Email: b.miller@ndep.nv.gov

Notice of this meeting was posted at the following Nevada locations:

- Nevada Public Notice Website - <https://notice.nv.gov/>
- The Nevada Division of Environmental Protection public notice website - <https://ndep.nv.gov/posts>
- Department of Conservation and Natural Resources, 901 South Stewart Street, Carson City
- Nevada State Library and Archives, 100 Stewart Street, Carson City
- Nevada Division of Environmental Protection, 2030 E. Flamingo Rd. Ste 230, Las Vegas

Supporting materials for all agenda items can be viewed at:

Department of Conservation and Natural Resources, 901 South Stewart Street, Suite 4001, Carson City
Contact: ndep-ofa@ndep.nv.gov or (775) 687-9321

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Benjamin Miller at (775) 687-9321, 24 hours prior to the meeting.

This Notice was provided to or posted at the following Nevada county locations:

Carson City Library
900 North Roop Street
Carson City, Nevada 89701-3101

Lincoln County Library
63 Main Street
Pioche, Nevada 89043

Churchill County Library
553 South Main Street
Fallon, Nevada 89406-3306

Lyon County Library System
20 Nevin Way
Yerington, Nevada 89447-2399

Las Vegas-Clark County Library District
Director of Marketing and Community Relations
7060 W. Windmill
Las Vegas, Nevada 89113

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

Douglas County Public Library
1625 Library Lane
Minden, Nevada 89423-0337

Pershing County Library
1125 Central Avenue
Lovelock, Nevada 89419

Elko County Library
720 Court Street
Elko, Nevada 89801-3397

Storey County Library - Closed
Posted at Clerk's Office
Address below:

Esmeralda County Library
Corner of Crook & 4th Street
P.O. Box 430
Goldfield, Nevada 89013-0430

Storey County Treasurer and Clerk's Office
Drawer D
Virginia City, Nevada 89440

Eureka County Library
10190 Monroe Street
Eureka, Nevada 89316

Tonopah Public Library (Nye County)
P.O. Box 449
Tonopah, Nevada 89049

Humboldt County Library
85 East 5th Street
Winnemucca, Nevada 89445-3095

Washoe County Library System
301 South Center Street
Reno, Nevada 89501-2102

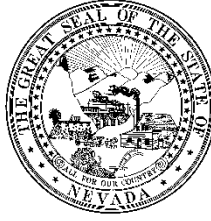
Battle Mountain Branch Library (Lander County) White Pine County Library
625 South Broad Street 950 Campton Street
Battle Mountain, Nevada 89820 Ely, Nevada 89301

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NOTICE OF INTENT TO ACT UPON A REGULATION

**Notice of Hearing for the Adoption of Permanent Regulations of the
Nevada Division of Environmental Protection**

The Board for Financing Water Projects will hold a public hearing to receive comments from all interested persons regarding the amendment of permanent regulations that pertain to Chapter 349 of the Nevada Administrative Code.

Date: Wednesday, June 3, 2026
Time: 9:00 AM
Location: Nevada Department of Conservation and Natural Resources Bryan Building,
First Floor, Bonnie B. Bryan Conference Room
901 S. Stewart St. Carson City, NV 89701

Virtually:

<https://teams.microsoft.com/meet/255200038634147?p=ooeEzflloeSANOxRbs>

Microsoft Teams:

Meeting ID: 255 200 039 634 147
Passcode: z2kC7DS2

Call in by phone (audio only)
United States: +1 (775) 321-6111
Meeting extension: 369 681 35#

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 proposed regulation changes were prompted by changes to the Nevada Revised Statutes. These regulatory amendments are being proposed to align Nevada Administrative Code with Nevada Revised Statutes by expanding the list of eligible recipients of program funds to include wellhead abandonment and septic-to-sewer conversion projects and governmental bodies for the development of Water Resource Plans. The proposed amendments also clarify and streamline some processes, update fee and grant scale language, and clean up outdated language and processes to align with current practices.

2. If the proposed regulation is a temporary regulation, the terms or the substance of the proposed regulation to be adopted, amended or repealed, or a description of the subjects and issues involved:

The proposed regulation is not a temporary regulation.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public:

The proposed regulations expand the eligibility of the program. The entity or organization may or may not be a business defined by NRS 233B.0382. This proposed regulation does not introduce any new fees; however, the proposed amendments do clarify that grant funds may not be used to pay for existing program fees. The proposed regulations are not anticipated to have any significant adverse or beneficial effects to the regulated community in the short or long term. The methods used in determining the impact on a small business.

The public receives a benefit when a wastewater or stormwater system receives a grant from the program versus taking out a loan from the public market. This slight benefit is expected to affect the public in the short and long term.

The service fee may have an adverse impact on the community; however, there is a net benefit because the funds are in the form of a grant instead of a loan. The Division estimates this impact will be minimal and is expected to affect the public in the short and long term.

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

The Agency's assumptions and conclusions were covered during the public workshop process. Comment was solicited through a workshop held in Carson City and video conferenced to Las Vegas. Notices of the workshop and an invitation for comments were posted in county public libraries, the Nevada Division of Environmental Protection (NDEP) buildings in Carson City and Las Vegas, the NDEP website, the Legislative Council Bureau's website, and the official State website. The workshop notice was also emailed to an extensive distribution list maintained by NDEP's Office of Financial Assistance (OFA).

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

The proposed changes would not have a significant impact on OFA's ability to enforce program requirements. Existing fees are collected as part of our routine semi-annual debt service collections.

6. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency:

The proposed regulations do not overlap or duplicate other State or federal regulations.

7. If the regulation is required pursuant to federal law, a citation and description of the federal law:

The proposed regulation is not required pursuant to federal law.

8. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

The proposed regulations are not more stringent than federal regulations.

9. Whether the proposed regulation establishes a new fee or increases an existing fee.

The proposed regulations do not provide for a new fee or an increase to existing fees.

10. If the proposed regulation is a temporary regulation, each address at which the text of the regulation may be inspected and copied:

The proposed regulation is not a temporary regulation.

Small Business Impact Disclosure

LCB File No. R124-24

April 20, 2026

Note: Small Business is defined as a "business conducted for profit which employs fewer than 150 full-time employees" (NRS 2338.0382).

1. Does this proposed regulation impose a direct and significant economic burden upon a small business? {state yes or no. If no, please explain and submit the applicable documentation, which can also be addressed in #8 on the SBIS and simply referred to; and if yes, reference the attached S81S)

No. Affected entities (Nevada water systems applying for Capital Improvement Grant funds) may or may not constitute a "business" as defined by NRS 233B.0382 - the Division cannot predict whether future applicants will be affected financially. In addition, the proposed regulation expands the list of recipients eligible to receive program funds. Because the funds are grants, the customers of newly eligible recipients could receive modest economic benefit. This proposed regulation does not impose new fees; however, the proposed regulations do clarify that grant funds may not be used to pay program fees.

2. Does this proposed regulation restrict the formation, operation or expansion of a small business? {state yes or no. If no, please explain and submit the applicable documentation, which can also be addressed in #8 on the SBIS and simply referred to; and if yes, reference the attached S81S)

No. This proposed regulation expands the list of recipients eligible to receive program funds.

If "Yes" to either of question 1 & 2, a SBIS must be noticed and available at the public workshop.

SMALL BUSINESS IMPACT STATEMENT (NRS 233B.0609)

(Provide attachments as needed)

- 1. Describe the manner in which comment was solicited from affected small businesses, a summary of the response from small businesses and an explanation of the manner in which other interested persons may obtain a copy of the summary.**
(Attach copies of the comments received and copies of any workshop attendance sheets, noting which are identified as a small business.)

The Agency's assumptions and conclusions were covered during the public workshop process. Comment was solicited through a workshop held in Carson City and video conferenced to Las Vegas. Notices of the workshop and an invitation for comments were posted in county public libraries, the Nevada Division of Environmental Protection (NDEP) buildings in Carson City and Las Vegas, the NDEP website, the Legislative Council Bureau's website, and the official State website. The workshop notice was also emailed to an extensive distribution list maintained by NDEP's Office of Financial Assistance (OFA).

- 2. The manner in which the analysis was conducted (if an impact was determined).**

The agency determined that small businesses would not be impacted (see Small Business Impact Disclosure #1 and #2).

- 3. The estimated economic effect of the proposed regulation on small businesses:**

The proposed the proposed regulations expand the eligibility of the program to well-head abandonment and septic-to-sewer conversion projects, and to governmental bodies for the development of Water Resource Plans. They also clarify and streamline some processes, update fee and grant scale language, and align state regulations with Nevada Revised Statutes. There is no expected economic effect on grant recipients or small businesses.

- A. Both adverse and beneficial effects

Not applicable (see above).

- B. Both direct and indirect effects:

Not applicable (see above).

- 4. A description of the methods that the agency considered to reduce the impact of the**

proposed regulation on small businesses and a statement regarding whether the agency actually used any of the methods. (Include a discussion of any considerations of the methods listed below.)

Not applicable.

A. Simplification of the proposed regulation:

Not applicable (see above).

B. Establishment of different standards of compliance for a small business:

Not applicable (see above).

C. Modification of fees or fines so that a small business is authorized to pay a lower fee or fine:

See above.

5. The estimated cost to the agency for enforcement of the proposed regulation. (Include a discussion of the methods used to estimate those costs.)

The proposed changes would not have a significant economic impact on the agency.

6. If this regulation provides for a new fee or increases an existing fee, the total annual amount the agency expects to collect and manner in which the money will be used.

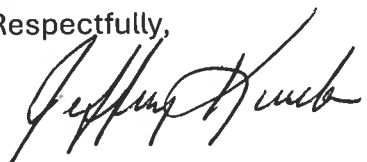
The proposed regulations do not introduce any new fees.

7. If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, provide an explanation of why such duplicative or more stringent provisions are necessary.

The proposed regulations are not more stringent than federal regulations.

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 that the information contained within the statement was prepared properly and is accurate.

Respectfully,

 Deputy
Administrator

Jennifer Carr, PE, CPM, CEM
Administrator
Nevada Division of Environmental Protection

FOI: