

LCB File No. R066-00

NOTICE OF INTENT TO ACT UPON A REGULATION

**Notice of Hearing for The Amendment of Regulations of The
Nevada Board Of Wildlife Commissioners**

The Board of Wildlife Commissioners will hold a public hearing at 1:30 p.m., on May 5, 2000, at Henderson Community College of Southern Nevada, Lecture Hall, Henderson Campus, 700 College Drive, Henderson, Nevada 89015. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulation CGR 288 (LCB File R066-00) pertaining to Chapter 501 of the Nevada Administrative Code.

1. **The need for and purpose of the proposed regulation: The purpose of the regulation is to properly manage the Wildlife Heritage trust Account as authorized by NRS 501.3575.**
2. **Text of the proposed regulation: See attached.**
- 3A. **The estimated economic effect of the regulation on the business which it is to regulate:**
 - (a) **Adverse effect - N/A**
 - (b) **Beneficial effect - N/A**
 - © **Immediate effect - N/A**
 - (d) **Long-term effect - N/A**
- 3B. **The estimated economic effect of the regulation on the public which it is to regulate:**
 - (a) **Adverse effect - N/A**
 - (b) **Beneficial effect - N/A**
 - © **Immediate effect - N/A**
 - (d) **Long-term effect - N/A**
4. **Estimated cost to the Division of Wildlife for enforcement of the proposed regulation: No additional costs are anticipated.**
5. **Description of, and citation to, any regulations of other state or local government 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. N/A

6. The regulation _____ does XX does not overlap or duplicate a federal regulation. If it does, the name of the regulating federal agency is _____. If the regulation is required pursuant to federal law, a citation and description of the federal law:
7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions:
8. The proposed regulation establishes a new fee or increases an existing fee: X No
Yes

Persons wishing to comment upon the proposed action of the Board of Wildlife Commissioners may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Secretary, Board of Wildlife Commissioners, 1100 Valley Road, Reno, Nevada 89512. Written submissions must be received by the Secretary, Board of Wildlife Commissioners, 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 Board of Wildlife Commissioners may proceed immediately to act upon any written submissions.

A copy of this notice and the proposed regulation will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the regulations to be adopted will be available for inspection and may be copied at the following locations:

Nevada Division of Wildlife
1100 Valley Road
Reno, Nevada
(775) 688-1500
Western Region
380 W. "B" Street
Fallon, NV 89406
(775) 423-3171

Eastern Region
1375 Mt. City Highway
Elko, NV 89801
(775) 738-5332
Southern Region
4747 W. Vegas Drive
Las Vegas, NV 89108
(702) 486-5127

The regulations will be available for inspection at all county main public libraries. 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 Council Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

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 above locations.

**Terry Crawford, Secretary
Board of Wildlife Commissioners**

**Publish: April 20, 2000.
Reno Gazette Journal
Elko Daily Free Press
Las Vegas Review Journal**

(LCB File No. R066-00)

STATE OF NEVADA
PROPOSED REGULATION OF THE BOARD OF WILDLIFE
COMMISSIONERS
COMMISSION GENERAL REGULATION 288

Authority: NRS 501.3575
Notice of Intent: April 20, 2000
Workshop Date: May 5, 2000
Commission Approval: , 2000

EXPLANATION:

NOTE: Matter in *italics* is new; matter within brackets **H** is to be omitted.

Section 1: Chapter 501 NAC is hereby amended by adding a new section to read as follows:

1. In order to properly manage the Wildlife Heritage Trust Account as authorized by NRS 501.3575, the following project proposal application process shall be implemented by the Commission:

(a) On or before November 1st of each year, the Secretary to the Commission shall publicize the availability of Heritage Trust funds and shall make available to all interested persons a copy of the project application.

(b) On or before the February meeting of the Commission, the Secretary to the Commission shall provide an accounting of interest earned in the previous calendar year by the Wildlife Heritage Trust Account.

(c) All project proposals shall be submitted on a project application form provided by the Division. The project application shall include, but its not limited to:

- (1) A brief description of the project;*
- (2) A location map with project title, scale, date and north arrow;*

- (3) *A legal description including address, access roads, or township, range and section;*
- (4) *A site development plan, if relevant;*
- (5) *A cost breakdown together with any documentation of all volunteer hours and donated equipment; and*
- (6) *Any additional information required by the Commission.*

(d) The application forms must be substantially completed and received by the Secretary at the Headquarters Office between January 1st and March 1st of each year for consideration of funding for the upcoming fiscal year. In the event that excess funding becomes available at other times during the year, the Commission may accept applications for projects that are urgent and that present unique opportunities.

(e) Project applications shall be accepted for consideration if submitted by the Division, the County Wildlife Advisory Boards, any other local, state or federal agency, citizen organizations or individuals only for the purpose of enhancing the protection, propagation, restoration, transplantation, introduction, and management of any game fish, game mammal, game bird or furbearing mammal in the State of Nevada.

(f) Upon receipt of a project application, the Division shall review and complete the Division portion of the form and forward it to the Heritage Trust Committee and the County Wildlife Advisory Boards for review and comment prior to April 15th of each year. The Trust Committee shall prepare its recommendations for funding for public comment and approval by the Commission at its May meeting of each year.

(g) All project proposals must be initiated and completed within one year of funding, July 1 through June 30, unless the applicant can demonstrate, prior to the expiration of the funding

period, that unusual circumstances exist which require an extension of funding and is otherwise approved by the Commission.

2. Funding Priority shall be given to all heritage Trust project proposals that:

(a) incorporate additional approved funding sources;

(b) involve habitat restoration and improvement of a long term or permanent nature; and

(c) demonstrate a need for funding.

3. Projects that are approved by the Commission must:

(a) complete a contract for services on a form provided by the Division;

(b) comply with all local, state and federal laws;

(c) coordinate all relevant funding sources;

(d) submit written requests in accordance with Division policy prior to payment;

(e) provide access to the Commission or a designated representative to all project related activities upon request;

(f) notify the Secretary in writing of the completion of the project and make the project available for inspection within a reasonable time period; and

(g) provide a completion report to the Secretary within 90 days of completion of the project on a form provided by the Division. The report shall be forwarded by the Secretary to the Trust Committee.

4. All projects that fail to meet the requirements of paragraph three, above, will be subject to cancellation and future disqualification by the Commission.