

**PROPOSED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS**

LCB File No. R022-12

COMMISSION GENERAL REGULATION 407

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1 and 2, NRS 501.105, 501.181, 502.219, 502.222, 502.225

A REGULATION relating to – Wildlife Heritage Trust Account. This changes the project award administration from a contracts process to a grants process. It also allows for unspent project awards to be reallocated in subsequent years instead of reverting to reserves.

NAC 501.300 Application for money from Account: Submission; contents; prerequisites to consideration. (NRS 501.3575)

1. A person, citizens' organization or local, state or federal governmental agency, including, without limitation, the Department and a county advisory board to manage wildlife, may apply for money from the Account to fund a conservation project.

2. A person, citizens' organization or governmental agency who desires to submit an application for funding from the Account for a conservation project must submit an application on the form prescribed by the Commission. Such an application must include, without limitation:

- (a) A brief description of the project;
- (b) A map which shows the location of the project and which includes, without limitation, the title of the project, a scale of the map, the date the map was created and a north arrow;
- (c) A legal description of the property on which the proposed project is to be located that includes, without limitation, the address of the property, access roads, township, range and section;
- (d) A plan for development of the site, if relevant;
- (e) A breakdown of costs and documentation of all hours to be worked by volunteers and of any equipment that will be donated; and
- (f) Any additional information required by the Commission.

3. For a conservation project to be considered for funding for the next fiscal year, an application for the project must be substantially completed and received by the Secretary of the Commission at the headquarters of the Department between January 1 and March 1. If, at any other time of the year, the Commission determines that money is available to fund an additional project, the Commission may do one or more of the following:

- (a) Request;
 - (b) Accept; or
 - (c) Approve,
- applications at such time for conservation projects which are urgent and which present unique opportunities.

(Added to NAC by Bd. of Wildlife Comm'rs by R066-00, eff. 8-18-2000)

NAC 501.310 Application for money from Account: Review and recommendations. (NRS 501.3575) Upon receipt of an application, the Department shall review the application, complete the portions of the application the Department is required to complete and send the application to the Heritage Trust Committee of the Commission and to each county advisory board to manage wildlife for review and comment before April 15 of each year. The Heritage Trust Committee of the Commission shall prepare its recommendations for funding and present such recommendations for public comment and approval by the Commission at the first meeting of the Commission after April 30 of each year.

(Added to NAC by Bd. of Wildlife Comm'rs by R066-00, eff. 8-18-2000)

NAC 501.320 Application for money from Account: Priorities for approval. (NRS 501.3575) The Commission will review the applications and decide which conservation projects will receive money from the Account during the next fiscal year. The Commission will give priority to conservation projects that:

1. Have additional sources of money to fund the project;
2. Involve habitat restoration and improvement of a long-term or permanent nature; and
3. Demonstrate a need for money to fund the project.

(Added to NAC by Bd. of Wildlife Comm'rs by R066-00, eff. 8-18-2000)

NAC 501.330 Duties of Secretary of Commission. (NRS 501.3575)

1. On or before November 1 of each year, the Secretary of the Commission shall make available to the public the application form described in NAC 501.300.

2. On or before the first meeting of the Commission after January 31 of each year, the Secretary of the Commission shall provide to the Commission an accounting of:

(a) Seventy-five percent of the amount of money deposited in the Account during the previous calendar year; and

(b) All interest earned on the Account during that year; *and*

(c) *Any balance of project funds from prior years available for redistribution.*

(Added to NAC by Bd. of Wildlife Comm'rs by R066-00, eff. 8-18-2000; A by R111-05, 10-31-2005)

NAC 501.340 Duties of person managing or supervising conservation project; time for completion; cancellation of funding. (NRS 501.3575)

1. A person who is responsible for managing or supervising a conservation project that is approved by the Commission shall:

(a) ~~[Complete a contract for services on a form provided by the Commission]~~ *Enter into a grant agreement as prescribed by the Department and approved by Commission;*

(b) Comply with all local, state and federal laws when executing the project;

(c) Coordinate all relevant sources of money for the project;

(d) Submit written requests for money in accordance with the policy of the Department before receiving a payment from the Account; and

(e) Upon request of the Commission, allow the Commission or a representative of the Commission who has been designated by the Commission for such a purpose to observe any activity related to the project.

2. A conservation project that receives money from the Account must be completed by the end of the fiscal year for which money is awarded from the Account for the project, unless, before that date, a person who is responsible for managing or supervising the project

demonstrates that unusual circumstances exist which require an extension of time and the Commission approves such an extension.

~~{3. If a person who is responsible for managing or supervising a project fails to meet any requirement of subsection 1, the Commission may cancel funding of the project and disqualify the project from any future funding.}~~

(Added to NAC by Bd. of Wildlife Comm'rs by R066-00, eff. 8-18-2000)

NAC 501.350 Funding Redistribution

- 1. If, upon completion of a project, awarded funds are not used for that project, those funds are available for redistribution.***
- 2. If a person who is responsible for managing or supervising a project fails to meet any requirement of NAC 501.340, subsection 1, the Commission may cancel funding of the project and disqualify the project from any future funding.***
- 3. Any funds unused as a result of subsection 1 or 2, may be redistributed by the Commission in a subsequent award year as defined in NAC 501.310***