

**PROPOSED REGULATION OF THE
STATE CONSERVATION COMMISSION
OF THE STATE DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES**

LCB File No. R139-13

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

AUTHORITY: NRS 548.160; NRS 548.178

A REGULATION relating to Conservation Districts; providing minimum standards for the Conservation Districts related to the Sage Grouse Habitat Competitive Grant Fund pursuant to NRS 548.178; prescribing certain application processes and eligibility; and providing other matters relating thereto.

Section 1. Chapter 548.120, Sec. 7 of NAC is hereby amended by adding thereto the provisions set forth:

- 1. Establishment of the Sage Grouse Habitat Competitive Grant Fund (Grant Fund); distributing grants to conservation districts; qualifications for grant; use of grant;*
 - a. The Commission will award among the Conservation Districts, grants from the program of the Sage Grouse Habitat Competitive Grant Fund for projects that specifically benefit sage grouse populations based on:*
 - 1. Availability of all grants of money provided by legislative appropriation pursuant to subsection 4 of NRS 548.178.*
 - 2. A conservation district must be In Good Standing as set forth in NAC 548.110 to apply for a grant.*
 - b. Eligibility of a Conservation District to apply to the Grant Fund must meet the required conditions of the fund:*
 - 1. There exists Sage Grouse habitat or potential Sage Grouse habitat located within the conservation district's boundaries.*
 - 2. The determination as to whether or not habitat or potential habitat is located within the conservation district's boundaries will be made by the Nevada Sagebrush Ecosystem Technical Team in coordination with the sponsoring district.*
 - 3. The State Conservation Commission will make the final determination as to whether or not a conservation district is eligible to participate in the grant fund.*
 - c. Applications from Conservation Districts for the Grant Fund will comply with procedures established by the Conservation Commission NRS 548.178:*

1. *There will be one application period and deadline per fiscal year for accepting grant applications from eligible conservation districts:*
 - a. *Multiple project applications will be accepted from any eligible Conservation District, however, applications are required to be ranked in numerical order of importance by the Conservation District prior to submission.*
 - b. *Applications with multiple agencies, landowners, or other entities' participation will be ranked higher by the Commission.*
 2. *Applications will be accepted on a form prescribed by the Conservation Districts Program.*
- d. *Applications must meet the required conditions in order to proceed:*
1. *Grant applications will be for projects that are "ground ready" which include technical review by the Sagebrush Ecosystem Technical Team (SETT).*
 - a. *Where appropriate, the use of Natural Resource Conservation Service (NRCS) specifications or other recognized agency specifications are encouraged for technical review.*
 - b. *Projects for consideration must contain direct benefit for sage grouse or their habitat, and must include a monitoring component.*
 - c. *"Ground ready" applications will not be accepted for equipment purposes.*
 - d. *Technical review by SETT may include suggested modifications to the grant applicant.*
- e. *Grant Fund application funding match and fund award distribution will be at the discretion of the Commission:*
1. *There is no match required to apply, however, applications with a cash match will receive higher ranking by the Commission. Those projects with an in-kind match will receive a higher ranking than those without any match, but not as high as those with a cash match. Projects with both cash and in-kind match will receive highest priority.*
 2. *There is no cap on the grant funding requested per applicant; however, the Commission will use its discretion in awarding all grant funding.*
 3. *Grant award funds may be disbursed as a single lump sum, or in payments, at the discretion of the Commission. Up to seventy five percent (75%) of the grant funding may be paid in the form of an advance if specifically approved by the Commission. The remainder of the grant funds will be provided on a reimbursement basis.*
 4. *The Commission may host a meeting to allow sponsoring conservation districts to present their project proposals.*
 5. *A maximum of fifteen percent (15%) of the total amount of the awarded grant may be designated for use as indirect costs of administration.*

f. Duty to account for grants of money under the Grant Fund will comply with NAC 548.130

- 1. A full report of the Sage Grouse habitat project of grant funded Conservation Districts will be required 45 days from the conclusion of the project or as otherwise requested by the Commission.*
- 2. A full accounting of grant funds, including any and all match funds and in-kind work or donations, will be required at the conclusion of the project or as otherwise requested by the Commission. Monitoring reports will be due as appropriate and described in the application.*
- 3. A project final report and final financial report will be provided on a form prescribed by the Conservation Districts Program.*
- 4. Grant funds awarded to Conservation Districts must be expended or obligated within the fiscal year for which it was appropriated per NAC 548.120.*
- 5. The State Conservation Commission has the final authority in all matters concerning the Sage Grouse Habitat Competitive Grant Fund.*