

**ADOPTED REGULATION OF THE
BOARD OF WILDLIFE COMMISSIONERS**

LCB File No. R141-13

Effective March 28, 2014

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

AUTHORITY: §1, NRS 501.105, 501.115, 501.117 and 501.181.

A REGULATION relating to wildlife; requiring the Department of Wildlife to establish a grant program to provide funding to facilitate wildlife restoration activities and research; and providing other matters properly relating thereto.

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

- 1. The Department shall administer a grant program to provide funding to facilitate wildlife restoration activities and wildlife research.*
- 2. The Department may solicit applications for grants by giving public notice of the availability of grants and the deadlines. Public notice given pursuant to this section must include, without limitation, the criteria for receiving a grant, reporting and recordkeeping requirements for applicants that have received a grant and any other information relating to the grant program that the Department determines is necessary.*
- 3. An application for a grant may be submitted to the Department by a federal, state or local governmental entity or a private nonprofit organization.*
- 4. The program will be administered with the following money received by the Department:*

- (a) Federal grants from the United States Fish and Wildlife Service, the United States Coast Guard, the United States Bureau of Land Management and the United States Bureau of Reclamation pursuant to NRS 501.115 and 501.117;*
- (b) Money deposited in the Wildlife Heritage Trust Account pursuant to NRS 501.3575;*
- (c) Money received for Dream Tag fees pursuant to NRS 502.219;*
- (d) Resource enhancement stamp fees collected pursuant to NRS 502.222;*
- (e) Habitat conservation fees collected pursuant to NRS 502.242;*
- (f) Fees collected for processing applications for game tags pursuant to NRS 502.253;*
- (g) Upland game bird fees collected pursuant to NRS 502.294;*
- (h) Duck stamp fees collected pursuant to NRS 502.300;*
- (i) State trout stamp fees collected pursuant to NRS 502.326;*
- (j) Permit fees collected pursuant to NRS 502.390; and*
- (k) If applicable, any other money received for development projects with potential impacts to wildlife as determined by the United States Fish and Wildlife Service or any other agency within the United States Department of the Interior.*

**STATE OF NEVADA
BOARD OF WILDLIFE COMMISSIONERS
LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Informational Statement**

**LCB File No. – R141-13
CGR Number - 443**

MEMORANDUM

To: Legislative Counsel Bureau **Date:** March 12, 2014
From: Tony Wasley, Secretary, Board of Wildlife Commissioners
Subject: Informational statement relating to Commission General Regulation No. 443
(LCB File No. R141-13) - as required by Chapter 233B.066.

1. A clear and concise explanation of the need for the adopted regulation.

This regulation formalizes the use of grants as a means to provide funding to partners for wildlife conservation and boating projects. Primarily these are on the ground projects such as habitat restoration or boating infrastructure as well as wildlife research.

2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

The regulation was presented and approved at the January 31-February 1 meeting of the Nevada Board of Wildlife Commissioners in Las Vegas. It was publically noticed as an agenda item for that meeting and the item was considered by the County Advisory Boards to Manage Wildlife, who also held public meetings. The document was posted on NDOW's website and public comments were solicited at the January 31-February 1 meeting prior to Commission approval. A video recording of all public comment from the January 31, 2014 NBWC workshop and February 1, 2014 NBWC meeting will be posted at: http://www.ndow.org/Public_Meetings/Commission/Archive/

3. The number of persons who:

- (a) Attended each hearing: 19 Workshop 20 Hearing**
- (b) Testified at each hearing: 0 Workshop 3 Hearing**
- (c) Submitted written comments: 1 Public Comment 0**

4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:

- (a) Name; Paul R. Dixon**
- (b) Telephone number; (505) – 699-1744**
- (c) Business address; 9445 Grenville Avenue, Las Vegas, Nevada 89134**

- (d) Business telephone number;
- (e) Electronic mail address; and MLDPRD24@yahoo.com
- (f) Name of entity or organization represented. Clark County Advisory Board Member

- (a) Name; Rique Robb
- (b) Telephone number; N/A
- (c) Business address; 165 Edgewater Parkway
- (d) Business telephone number; N/A
- (e) Electronic mail address; and N/A
- (f) Name of entity or organization represented. Member of the public

5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.

Comment was solicited in the same manner as described in number 2 above. No comments were received from any business during that process. The grants under this regulation will be made primarily to governments or private non-profit organizations. A granting process is simpler and less time consuming for the recipient than the alternative state contracting process. Organizations and businesses often decline to work with the department due to the burdens imposed by the state model contract and contracting process.

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

There was no public comment received opposing the regulation. The Washoe County Citizens Advisory Board to Manage Wildlife provided input to make a small change to the regulation to refer to 401C-3 corporations instead of non-profits. That was discussed and the Commission agreed with Department recommendation to keep the language as is.

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

(a) Estimated economic effect on the businesses which they are to regulate.

There is zero economic effect on the businesses which they are to regulate. This regulation provides an alternative to entering into a state contract for governmental entities and private non-profits to participate in achieving NDOW program goals.

(b) Estimated economic effect on the public which they are to regulate.

There is zero economic effect on the public which they are to regulate. This regulation provides an alternative to entering into a state contract for governmental entities and private non-profits to participate in achieving NDOW program goals. It would have no direct impact on the public.

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

There is no additive cost to the agency to enforce the proposed regulation. The department already has existing staff to manage both contracts and grants. This provides an alternative to existing contracting processes.

9. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

There are no known regulations of any other State or governmental agencies which this regulation overlaps or duplicates.

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

This regulation is not more stringent than a federal regulation that regulates the same activity.

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

This regulation does not address any fees.

/s/
Tony Wasley, Secretary
Board of Wildlife Commissioners