

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

LCB File No. R066-00

Effective August 18, 2000

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

AUTHORITY: §§1-9, NRS 501.3575.

Section 1. Chapter 501 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 8, inclusive, of this regulation.

Sec. 2. *“Account” means the wildlife heritage trust account.*

Sec. 3. *“Conservation project” means a project for the sole purpose of enhancing the protection, propagation, restoration, transplantation, introduction and management of any game fish, game mammal, game bird or fur-bearing mammal in this state.*

Sec. 4. 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 section 5 of this regulation.*

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 the interest earned on the account during the previous calendar year.

Sec. 5. 1. *A person, citizens’ organization or local, state or federal governmental agency, including, without limitation, the division 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 division 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,

FLUSH *applications at such time for conservation projects which are urgent and which present unique opportunities.*

Sec. 6. Upon receipt of an application, the division shall review the application, complete the portions of the application the division 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.

Sec. 7. 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.*

Sec. 8. 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;*
- (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 division 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.

Sec. 9. NAC 501.010 is hereby amended to read as follows:

501.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 501.020, 501.030 and 501.040 *and sections 2 and 3 of this regulation* have the meanings ascribed to them in those sections.

NOTICE OF ADOPTION OF REGULATION

June 22, 2000

Ms. Brenda Erdoes, Legislative Counsel
Legislative Counsel Bureau - Legal Division
401 S. Carson Street
Carson City, NV 89710

RE: LCB File Numbers : **LCB No. R066-00 and R077-00**

Dear Ms. Erdoes:

The Nevada Division of Wildlife, Board of Wildlife Commissioners, adopted the above regulations, assigned the above LCB file numbers. A copy of the regulation as adopted is attached hereto.

Enclosed please find one blue and two white copies of our Secretary of State Filing form which is to be filed in accordance with 233B of the Nevada Revised Statutes.

If you have any questions, please contact Tom Atkinson at 688-1549.

Thank you.

Sincerely,

Terry R Crawford
Secretary

INFORMATIONAL STATEMENT

STATE OF NEVADA BOARD OF WILDLIFE COMMISSIONERS

MEMORANDUM

To: Legislative Counsel Bureau Date: June 22, 2000
From: Terry R. Crawforth, Secretary, Board of Wildlife Commissioners
Subject: Informational statement relating to Commission General Regulation No. 288 (LCB File No. R066-00) - as required by Chapter 233B.066.

1. 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.

- (a) A notice of hearing for adoption of Commission General Regulation No.288 was published once in each of the three administrative regions in a newspaper of general circulation.
- (b) Persons wishing to comment upon the proposed action of the Board of Wildlife Commissioners were invited, through the notice of hearing and a mail distribution to interested and affected parties to appear at the public hearing or address their comments, data, views of arguments, in written form to Secretary, Board of Wildlife Commissioners, 1100 Valley Road, Reno, Nevada 89512. Written submissions were to be received at least five days prior to the scheduled meeting.
- (c) A copy of the Notice of the proposed regulations was mailed to the following: State Librarian; county main libraries; Reno, Elko and Las Vegas newspapers; LCB and interested parties.
- (d) A copy of the regulation to be adopted was filed with the Office of the Secretary of State, The Capitol, Carson City, Nevada for inspection by the public during business hours.

Additional copies of the regulation could be obtained at the Division of Wildlife, 1100 Valley Road, Reno, Nevada for inspection and copying by the public.

- (e) The public was asked to make comments on this regulation at the public meeting.

2. The number of persons who:

- (a) **Attended each hearing:** 25

- (b) Testified at each hearing: 1
- (c) Submitted to the agency written statements: 0

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

No businesses were affected.

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

The regulation was adopted without change. The regulation comports with the recommendations of the Heritage Committee and existing commission policy.

5. The estimated economic effect of the regulations on the businesses they are to regulate and on the public.

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

- (1) Adverse - N/A
- (2) Beneficial - N/A
- (3) Immediate - N/A
- (4) Long term - N/A

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

- (1) Adverse - N/A
- (2) Beneficial - N/A
- (3) Immediate - N/A
- (4) Long term - N/A

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

Cost is unknown at this time. The regulation creates greater accountability for sportsmens' dollars.

7. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary: N/A

If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency:

- 8. If the regulation includes provisions which are more stringent than a federal regulation which regulates the same activity, a summary of such provisions: N/A**
- 9. 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: N/A**

Terry R. Crawford, Secretary
Board of Wildlife Commissioners