

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

LCB File No. R113-15

September 1, 2015

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

AUTHORITY: §§1-6, NRS 548.160, and SB45 of the 2015 Legislative Session, Sec. 1 (5).

A REGULATION relating to conservation; establishing a competitive grant program to benefit sage grouse populations; and providing other matters properly relating thereto.

Section 1. Chapter 548 of NAC is hereby amended to read as follows:

Sec. 2. *As used in sections 2 to 6, inclusive, of this regulation, unless the context otherwise requires, “Sagebrush Ecosystem Technical Team” means the interagency technical team created by the Governor pursuant to Executive Order No. 2012-19 to support the Sagebrush Ecosystem Council created pursuant to NRS 232.162.*

Sec. 3. 1. *The Commission will administer a competitive grant program for the purpose of awarding grants of money to qualifying conservation districts for the conservation, expansion, and support of sage-grouse habitat. The grants shall be funded by money specifically appropriated by the Legislature to the Sage-grouse Competitive Grants Program and any additional funds obtained from other sources which are also intended for projects that specifically benefit sage-grouse populations in the conservation districts. The grants may be awarded in unequal amounts. The Commission will give advance notice of the availability of such a grant specifying:*

(a) The deadline for the submission of applications for the competitive grant; and

(b) The amount of the application fee, if any, that must be submitted with the application.

2. An application for a grant of money may be submitted only by a conservation district that:

(a) Is in good standing as set forth in NAC 548.110 and eligible to receive a grant of money pursuant to NAC 548.115;

(c) Has demonstrated past ability to complete similar conservation projects in a reasonable manner; and

(d) Has adequate resources to track a grant project and administer the grant funds.

3. The Commission has the final authority in all matters relating to the sage grouse grant program set forth in sections 2 through 6 of this regulation.

Sec. 4. 1. An application for a grant from the Sage-grouse Competitive Grant Program: Must be submitted only on a form prescribed by the Program;

Will be accepted only during the application period, prior to the application deadline, as indicated on the Program Grant Application Invitation.

2. Multiple project applications will be accepted from eligible districts. Multiple applications are required to be ranked in order of importance by the submitting district at the time of submission.

3. The Commission will consider an application for a project grant only if the project:

(a) Has been reviewed and confirmed as benefitting Sage-grouse habitat by the Sagebrush Ecosystem Technical Team or another entity with Sage-grouse expertise approved by the Commission;

(b) Is ready to begin the process of implementation upon approval by the Commission; and

4. The Commission will not consider an application for a grant of money that is primarily for the purpose of acquiring equipment.

5. If appropriate, applicants should use specifications and practices provided by approved governmental agencies, including, without limitation, the Natural Resources Conservation Service of the United States Department of Agriculture, when preparing an application.

Sec. 5. 1.

2. There is no match required to apply, however, applications with a match, including cash or in-kind, will receive higher ranking by the Commission.

3. There is no cap on the grant funding requested per applicant, other than funds available; however, the Commission will use its discretion in awarding all grant funding.

4. Those districts determined by the Commission to be recipients of Grant funds may receive funding in a lump sum or in installments, at the discretion of the Commission, and:

(a) Except as specifically approved by the Commission, grants of money will be disbursed as reimbursements.

(c) A maximum of 15 percent of the total amount of the grants awarded may be designated and used for administrative or indirect costs if requested in the application budget.

5. A grant of money awarded by the Commission pursuant to sections 2 through 6 of this regulation must be expended or obligated during the fiscal year in which it was distributed. No uncommitted grant funds may be carried over for expenditure beyond the term of the grant. Any uncommitted funds will be deducted from any other grant awarded in future fiscal years.

Sec. 6. 1. *Unless otherwise required by the Commission, within 45 days after the completion of a project for which a grant of money has been approved pursuant to sections 2*

through 6 of this regulation, the conservation district that was awarded the grant shall submit a report to the Program. The report must be on a form prescribed by the Program and must include:

(a) A complete accounting of all expenditures of the money received and of any matching money, payments in kind and donations, as applicable;

(b) An assessment of the accomplishments of the project based on the goals stated in the application for the grant of money; and

(c) Any other information that the Commission requires.

2. Failure to submit the report or assessment required pursuant to this section will be considered in future determinations of that district's standing and eligibility to receive a grant of money.

3. Each conservation district that is awarded a grant of money pursuant to sections 2 through 6 of this regulation, will be required to enter into a grant award agreement. The terms of the agreement will include, but not be limited to required submission of regular monitoring reports as appropriate to the project. The frequency and specificity of the monitoring reports shall be proposed in the application and agreed to between the recipient district and the Program prior to the release of any funds.