



**STATE OF NEVADA**  
**DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**  
**CONSERVATION DISTRICTS PROGRAM**  
201 S. Roop Street, Suite 101  
Carson City, Nevada 89701  
Phone (775) 684-8600 - Fax (775) 684-8604

**NOTICE OF WORKSHOP**  
To Solicit Comments on Proposed Regulations

**To:** To All Interested Parties  
**From:** Joe Locurto, Program Coordinator  
**Date:** October 14, 2013  
**Re:** Workshop on Proposed Regulations

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On behalf of the Nevada State Conservation Commission, the Conservation Districts Program will hold a workshop with regard to the possible adoption of regulations related to the Sage Grouse Habitat Competitive Grant Fund providing grants to Conservation Districts for Sage Grouse habitat projects. The Department will hold the workshop to receive comments as follows:

**Date and Time of Meeting:** Tuesday, November 5<sup>th</sup>, 2013 – 4:00 PM

**Place of Meeting:** Red Lion Hotel & Casino  
Main Ballroom  
2065 Idaho Street  
Elko, NV 89801

Contact the Program at the Carson City address listed above, or Joe Locurto at (775) 684-8600 for questions about the workshop.

**Written comments must be received no later than October 31, 2013 at 5 p.m.**

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*Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify our office by writing to 201 S. Roop Street, Suite 101, Carson City, NV 89701 or by calling (775) 684-8600 no later than two (2) working days prior to the scheduled meeting.*

*Please contact Joe Locurto at 201 S. Roop Street, Suite 101, Carson City, NV 89701; or phone (775) 684-8600 to obtain supporting material for the workshop.*

Notice of this meeting was posted in the following Carson City, Nevada locations: Department of Conservation and Natural Resources, 901 S Stewart St; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street.

Notice of this meeting was E-mailed for posting to the following locations: Nevada NRCS, 1365 Corporate Boulevard, Reno, Nevada; Nevada NRCS, 555 West Silver St., Ste. 101, Elko, Nevada; Nevada NRCS, 5820 S Pecos Rd, Bldg. A, Ste. 400, Las Vegas, Nevada; Nevada NRCS, 744 E North Industrial Way, Ely, Nevada; Nevada NRCS, 111 Sheckler Road, Fallon, Nevada; Nevada NRCS, 1702 County Road, Ste. A1, Minden, Nevada; Nevada NRCS, 360 Lincoln Street, Caliente, Nevada.

Notice of this meeting was posted on the Internet through the Department of Conservation and Natural Resources Conservation Districts Program website at: <http://dcnr.nv.gov/conservation-district-program>

Notice of this meeting was mailed to the Churchill, Douglas, Elko, Esmeralda, Humboldt, Lander, Lincoln, Lyon, Mineral, Pershing, Storey, Washoe and White Pine County Libraries; the Carson City and Tonopah Public Libraries and the Clark County District Library.



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October 14, 2013

**FINANCIAL IMPACT STATEMENT FOR PROPOSED REGULATIONS**  
**PERTAINING TO THE SAGE GROUSE HABITAT COMPETITIVE**  
**GRANT FUND**

The intent of this proposed permanent regulation is to designate a process for the affected Conservation Districts in Nevada to be able to apply for and receive funding for projects in the area of the state designated as habitat for sage grouse. Per appropriation of the 77<sup>th</sup> Session of the Nevada Legislature, there is currently \$40,000 appropriated for each year of the biennium.

Per AB408 of the 77<sup>th</sup> Session of the Nevada Legislature, there is required that the Conservation Commission "Conduct or cause to be conducted an analysis of the likely impact of the proposed regulation on small businesses."

The \$40,000 grant fund, distributed per year directly to Conservation Districts that have applied and been approved for receipt of the funds by the State Conservation Commission, will have no significant effect or impact on any small business in Nevada.

This was determined through a process of deduction and simple analysis of the effects of the regulation. Additionally, the impact was simulated through a 2012 version of an impact analysis tool developed for the State of Nevada by Applied Economics, a firm in Phoenix, Arizona. These simulations proved the deductive analysis that there would be some positive affects to overall economic activity in Nevada from the promulgation and implementation of this regulation.

A handwritten signature in blue ink, appearing to read "Tim Rubald", written over a horizontal line.

A handwritten date "10/15/2013" in blue ink, written over a horizontal line.

Tim Rubald, Program Manager, does hereby certify that to the best of my knowledge, the information contained in this Impact Statement is accurate and was prepared as described above.

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

LCB File No. \_\_\_\_\_

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

AUTHORITY: NRS 548.160

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 548.160; prescribing certain application processes and eligibility; and providing other matters relating thereto.

Section 1. NAC Chapter 548 is hereby amended by adding a new section thereto as follows:

- 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.*
  - 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 State Sagebrush Ecosystem Program Technical Team.*
  - 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:*

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 agency and/or landowner 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 be accepted:*

1. *Grant applications will be for projects that are “ground ready” and will include plans that have undergone 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.*

*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.*
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. *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 at the conclusion of the project or as otherwise requested by the Commission.*
- 2. A full account of grant funds, including any and all match funds, will be required at the conclusion of the project or as otherwise requested by the Commission.*
- 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 within the fiscal year for which it was awarded.*
- 5. The State Conservation Commission has the final authority in all matters concerning the Sage Grouse Habitat Competitive Grant Fund.*