



STATE OF NEVADA
STATE CONSERVATION COMMISSION
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MINUTES
REGULATION PUBLIC HEARING

NOTICE OF PUBLIC HEARING FOR THE ADOPTION AND
AMENDMENT OF PERMANENT REGULATIONS OF THE
STATE CONSERVATION COMMISSION

The State Conservation Commission held a public hearing on January 15, 2014 commencing at 4:00 p.m. at the offices of the Nevada Department of Conservation and Natural Resources, in the Tahoe Hearing Room, 2nd Floor, 901 South Stewart Street, Carson City, Nevada.

Board Members Present: Chairman Joe Sicking, Paradise/Sonoma CD, Eric Rieman, Carson Valley CD, Maggie Orr, Lincoln County CD (by teleconference), Leland Wallace, Esmeralda County CD, Kathy Mort, Stillwater CD, and Vance Vesco, Big Meadow CD. **Board Members Absent:** Dr. Sherm Swanson, CABNR-NAES and Ed Foster, NV Dept. of Agriculture,

Others Present: Joe Locurto, Conservation Districts Program Coordinator, Sandy Quilici, DCNR Director's Office, Tim Rubald, Sagebrush Ecosystem Program Manager, Kevin Benson, Deputy Attorney General, Steve Weaver, Conservation Staff Specialist Winnemucca Area, Anita Lahey, Conservation Staff Specialist Ely Area, Clint Koble, State Executive Director, Nevada Farm Service, Bruce Petersen, NRCS, State Conservationist, Bret Allen, Dept. of Agriculture, Bret Tyler, Washoe-Storey CD, Jim Linebaugh, Lani Estill, Vya CD, Nancy Sicking, Doni Bruland, Conservation Staff Specialist Elko Area (by phone), Connie Lee, NDOW (by phone), Marlene Wallace, Esmeralda CD and Rebecca Elkins, Tonopah CD, (by phone).

REGULATION PUBLIC HEARING – The State Conservation Commission Public Hearing to receive input on proposed language changes to the Nevada Administrative Code chapter 548, as follows:

A. LCB File No. R139-13 will provide minimum standards for the Conservation Districts related to the Sage Grouse Habitat Competitive Grant Fund, prescribing application processes and eligibility.

CALL TO ORDER

Chairman Sicking called the meeting to order at **4:00 p.m.**

Deputy Attorney General Kevin Benson said there has been a workshop on this regulation which is to implement the grant funds for competitive sage grouse projects. This sets forth the process for submitting applications. One item to clarify is the Commission's intent on page two of the draft regulation in Section 4. This regards the application for grant money – part b. says 'is ready to be implemented upon approval by the Commission without purchase of equipment'. This reads that you

could not use the grant money to purchase any equipment; I don't think that was the intent. DAG Benson suggested adding that 'the project is not primarily for the purchase of equipment'. It was agreed to make the change.

DAG Benson said to look over this draft because it will be sent to LCB next. On page 1 Sec.3, it notes not all the districts will receive an equal amount. Statute says that monies from appropriation have to be divided equally among the CD's and from other sources they can be as the Commission determines. Since this is competitive grant money it has to be made clear.

Sec. 3 says 'the Commission will issue a competitive grant program to the purpose of awarding grant money provided by Legislative appropriation among the Conservation Districts'. DAG Benson suggested removing 'among the conservation districts' from Sec. 3. because not every CD will receive money.

In section 5 on page 3, he suggested another change for the same purpose. It says 'there's no limit to the amount of money which may be requested by an applicant that the Commission will determine the amount of money' – the words 'if any' be added 'to award each qualified applicant based on priority'.

Commissioner Orr suggested adding 'only' to 'be submitted by a conservation district', in Sec. 3 item 2. It was agreed.

Mr. Benson said after your approval today the regulation has to be approved by the Legislative Commission and right now the Legislative Commission feels there is a conflict with the statute. They are forming an objection letter. This is why he suggested these clarifying changes. This is why it has to be made clear that the monies would be given to the districts that qualify.

PUBLIC COMMENT Lani Estill, President, Vya Conservation District said they have projects with NRCS for sage grouse now – would this help them? Mr. Locurto said it could help with their ranking.

Richard Wilkinson, District Manager, Dayton Valley Conservation District submitted written comments. *See Attachment I.*

There were no further public comments.

4:25 p.m. ADJOURNMENT Chairman Sicking adjourned the Regulation Public Hearing.