



NOTICE OF BOARD MEETING AND AGENDA STATE CONSERVATION COMMISSION



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Notice of Public Hearing to solicit comments on proposed regulation R176-24

Date: Tuesday January 21st, 2025

Time: 1:00pm – 3:00pm

Virtual Meeting

Link: <http://tinylink.net/oo3HI> (Full link provided at end of document)

Meeting ID: 260 036 594 108 Passcode: aH24Dx6b

Call in information: 775-321-6111 PIN 348 440 536#

Physical Location access: Nevada Department of Conservation and Natural Resources Building, 901 South Stewart Street, 1st Floor, Bonnie Room in Carson City, Nevada

Notice

The State Conservation Commission (SCC) Board will consider possible action on the attached agenda items. The Board reserves the right to take items out of order to accomplish business in the most efficient manner. The Board may combine two or more items, remove items or delay discussion relating to item(s) on the agenda. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda.

Contact the Nevada Conservation District Program Manager for additional information. Melany Aten (775) 625-0901, maten@dcnr.nv.gov Meeting information can be found at <http://dcnr.nv.gov/divisions-boards/conservation-districts-program/state-conservation-commission>

Public Comment*

If you wish to make a public comment, you may do so verbally in person or virtually. Public comment may be submitted via email to maten@dcnr.nv.gov or by written mail to the CD Program 3275 Fountain Way, Winnemucca, NV 89445. Public comment is for all matters, both on or off the agenda as designated on the agenda, and will be limited to three minutes per person. Public comment will also be heard during individual action items on the agenda prior to action taken. The Commissioners may prohibit or limit comment of the content if the comments are a topic not relevant to, or within the authority of the SCC, or if they are irrational or amounting to personal attacks or interfering with the rights of other speakers but will not restrict comments based on viewpoint only. The SCC reserves the right to reduce the time or limit in writing on the agenda items and/or attend and make comments on that item at the meeting.

- Items on the agenda may be taken out of order.
- The District may combine two or more agenda items for consideration.
- The District may remove an item from the agenda or delay discussion relating to an item at any time.

Note: **(For possible action)** denotes all items on which the Commission may take action. Action will be taken according to open meeting law.

The SCC is committed to Equal Employment Opportunity/Affirmative Action in recruitment of its Commissioners and employees and do not discriminate on the basis of race, color, religion, sex, age, creed, nation origin, veteran status, physical or mental disability, sexual orientation, genetic information, gender identity, or gender expression. The Commission employs only United States citizens and aliens lawfully authorized to work in the United States.

Special notice

Members of the public who are disabled and require special assistance or accommodations to attend the meeting . If special arrangements for the meeting are required, please notify Melany Aten at (775)-625-0901, at least two days prior to the meeting notify CD Program at CD Program 3275 Fountain Way, Winnemucca, NV 89445 or by email at maten@dcnr.nv.gov.

This meeting has been properly noticed and posted at the following locations:

Nevada Dept. of Ag 405 S. 21 st St, Sparks, NV 89431	Department of Conservation & Natural Resources 901 S. Stewart St. Carson City, NV 89701
USDA Center 3275 Fountain Way, Winnemucca, NV 89445	Open Meeting Law Website at: https://notice.nv.gov

Full link to meeting: https://teams.microsoft.com/l/meetup-join/19%3ameeting_Zjg2ZTNkNjEtOGQ2Zi00YWUzLWJhZjQtZml4Zjg0MmE2YWEz%40thread.v2/0?context=%7b%22Tid%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22Oid%22%3a%2298d25fe8-55b1-49c7-ade7-6a5babd1413d%22%7d

State Conservation Commission
DCNR / [Conservation Districts Program](#) | [DCNR](#)

Posted 12/19/24



**STATE OF NEVADA
STATE CONSERVATION COMMISSION MEETING
& PUBLIC HEARING FOR R176-24
AGENDA**



VIRTUAL MEETING

Tuesday, January 21st 2025 1:00pm – 3:00pm

Videoconference Link: [CLICK HERE or Type http://tinylink.net/oo3HI](http://tinylink.net/oo3HI) (Full link provided at end of document) Meeting ID: 260 036 594 108 Passcode: aH24Dx6b

Teleconference (Call in option): 775-321-6111 PIN 348 440 536#

Physical location accommodations provided at: Nevada Department of Conservation and Natural Resources Building, 901 South Stewart Street, 1st Floor, Bonnie Room in Carson City, Nevada

Public Comment*

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- The District may combine two or more agenda items for consideration.
- The District may remove an item from the agenda or delay discussion relating to an item at any time.

Contact the Nevada Conservation District Program Manager for additional information. Melany Aten (775) 625-0901, maten@dcnr.nv.gov Meeting information can be found at <http://dcnr.nv.gov/divisions-boards/conservation-districts-program/state-conservation-commission>

Agenda

1. Call to order & Determination of Quorum.

- a) Introductions and roll call.

2. Public Comment. *

3. Approve today's agenda, January 21st, 2025 with the inclusion of any emergency items and deletion of any items. (For

Possible Action)

a) Any items that need to be taken out of order, edited, or removed may be proposed for consideration at this time.

4. Approve the SCC November 21st, 2024 meeting minutes. (For Possible Action).

Meeting Materials provided.

5. Notice of intent to act upon a regulation public hearing for the adoption of proposed regulation R176-24 pertaining to added language to NAC 548 for the purpose of awarding grant money to qualifying conservation districts for projects that enhance, protect or conserve renewable natural resources. (For Possible Action).

a) Open for public comment on proposed regulation.

Meeting Materials provided.

6. Presentation by Doug Busselman with the Nevada Farm Bureau Federation. (For Possible Action).

a) Information and updates from the Farm Bureau on related conservation measures and topics concerning or related to conservation districts and or the SCC.

Meeting Materials provided.

7. Presentation by Cathy Erskine on bill tracking form and review of legislative proposed bills and language which may impact conservation districts and or the SCC. (For Possible Action).

Meeting Materials provided.

8. Discussion and review of CD board vacancies throughout the State. (For Possible Action).

a) Review of CD reporting matrix with current board seats filled and vacancies.

Meeting Materials provided.

9. Updates from Agencies and Partners. (For Discussion Only).

a) Nevada Department of Agriculture

b) University of Nevada Reno/ University Cooperative Extension

- c) Natural Resources Conservation Service
- d) Nevada Farm Service Agency
- e) Department of Conservation and Natural Resources
- f) Nevada Conservation District Program
- g) Sagebrush Ecosystem Program & Sagebrush Ecosystem Technical Team
- h) Nevada Association of Conservation Districts
- i) All Other Partners and participating agencies

10. Commissioner Items. (For Discussion Only)

- a) Commissioners will provide comments, updates and reports.

11. Public Comments:

Public comment may be made on any issue, provided such comment is limited to areas relevant to and within the authority of the State Conservation Commission. Public comment is limited to 3 minutes per person. No action will be taken on any item raised during public comment that is not already on the agenda. At the discretion of the Chair, public comment may be received prior to action on individual agenda items.

12. Next Commission Meeting. (For Discussion Only)

- a) Possible future Agenda items for consideration.
 - i. SCC Strategic Plan Review
 - ii. Legislative Updates
- b) Date, time and location of next meeting.
 - i. April-May 2025 in person meeting

13. Adjournment.

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 the Conservation Districts Program, 3275 Fountain Way, Winnemucca, NV 89445 or by email at maten@dcnr.nv.gov or calling (775) 625-0901 no later than two(2) working days prior to the scheduled meeting.

Virtual Access

https://teams.microsoft.com/l/meetup-join/19%3ameeting_Zjg2ZTNkNjEtOGQ2Zi00YWUzLWJhZjQtZmI4Zjg0MmE2YWEz%40thread.v2/0?context=%7b%22id%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22oid%22%3a%2298d25fe8-55b1-49c7-ade7-6a5babd1413d%22%7d

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Adoption of Permanent Regulations of the State Conservation Commission

LCB File Number R176-24

The State Conservation Commission and the Nevada Conservation District Program (NCDP) within the Nevada Department of Conservation and Natural Resources, will hold a public hearing to receive comments from all interested persons regarding the adoption of regulations that pertain to Chapter 548 of the Nevada Administrative Code.

Date: January 21, 2025
Time: 1:00pm
Location: Department of Conservation and Natural Resources
Bonnie Conference Room, 1st Floor
901 South Stewart Street
Carson City, NV 89701
Virtual: Click or type the shortcode to access the meeting:
Link: <http://tinylink.net/oo3HI>
Meeting ID: 260 036 594 108
Passcode: aH24Dx6b
Or call in (audio only): 775-321-6111
Phone conference ID: 348 440 536#

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need for and the purpose of the proposed regulation or amendment.

The purpose of the proposed regulation aims to guide the State Conservation Commission and Conservation District Program in awarding grants to eligible conservation districts for projects that enhance, protect or conserve renewable natural resources within their boundaries.

2. If the proposed regulation is a temporary regulation, the terms or the substance of the proposed regulation to be adopted, amended or repealed, or a description of the subjects and issues involved.

This is not a temporary regulation.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:

a. Both adverse and beneficial effects; and

- On business: The proposed regulation does not directly or indirectly impose an adverse effect on businesses. Beneficial direct or indirect business affects may include an increase in revenue for businesses which offer conservation services or

products related to the enhancement and or conservation of renewable natural resources.

- On the public: The proposed regulation does not directly or indirectly impose an adverse effect on the public. The regulation benefits the public by creating opportunities for grant funding for local projects.

b. Both immediate and long-term effects.

- On business: The proposed regulation does not impose any long term adverse effects on businesses. Beneficial direct or indirect affects many include increased revenue for businesses which offer conservation services or products related to the enhancement and or conservation of renewable natural resource.
- On the public: The proposed regulation does not impose any long-term adverse effects on the public. The regulation benefits the public by creating grant funding and enhancement and or conservation of renewable natural resources.

4. The methods used by the agency in determining the impact on a small business.

The Conservation District Program and State Conservation Commission reviewed, discussed and considered any potential expected or unexpected impacts of the proposed regulation on small businesses. After careful consideration and examination, it was considered that this regulation would not affect small businesses in any significant way. As a result, the Conservation District Program and State Conservation Commission concluded that no further analysis was necessary regarding the impact on small businesses.

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

NCDP does not anticipate incurring any additional cost resulting from the proposed regulation.

6. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

The proposed regulation does not overlap or duplicate any existing regulation.

7. If the regulation is required pursuant to federal law, a citation and description of the federal law.

The proposed regulation is not required by federal law.

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

The proposed regulation is not more stringent than a federal regulation.

9. Whether the proposed regulation establishes a new fee or increases an existing fee.

The regulation does not create any new fees or increase an existing fee.

10. If the proposed regulation is a temporary regulation, each address at which the text of the regulation may be inspected and copied.)

This is not a temporary regulation.

Persons wishing to comment upon the proposed action of the State Conservation Commission may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, by emailing maten@dcnr.nv.gov or by mailing to the following address: Nevada Conservation District Program, 901 S. Stewart Street Ste. 1001, Carson City, NV 89701. Written submissions must be received by the Nevada Conservation District Program on or before January 10th, 2025. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation will be on file at the State Library, Archives and Public Records, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours.

Additional copies of the notice and the regulation will be available at each program office location detailed in the notice below and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us/>. Copies of this notice and the proposed regulation will also be mailed to members of the public at no charge upon request.

Upon adoption of any regulation, the State Conservation Commission, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

Nevada Conservation District Program website <https://dcnr.nv.gov/divisions-boards/conservation-districts-program/state-conservation-commission>

Nevada State Legislature website www.leg.state.nv.us/App/Notice/A/

Nevada Public Notice website <http://notice.nv.gov>

Nevada Department of Conservation and Natural Resources, 901 S. Stewart Street, Carson City, NV 89701

State of Nevada Campus, 1 State of Nevada Way, Las Vegas, NV 89119

Nevada State Legislature, 401 S. Carson St., Carson City, NV 89701

Nevada State Library and Archives, 100 N. Stewart St, Carson City, NV 89701

A copy of the notice and proposed regulation has been mailed to:

Carson City Library, 900 North Roop Street, Carson City, NV 89501

Churchill County Library, 553 South Maine Street, Fallon, NV 89406

Clark County Library, 1401 E. Flamingo Road, Las Vegas, NV 89119

Douglas County Library, 1625 Library Lane, Minden, NV 89423

Elko County Library, 720 Court Street, Elko, NV 89801

Esmeralda County Library, Crook Avenue & 4th Street, Goldfield, NV 89013

Eureka County Library, 10190 Monroe Street, Eureka, NV 89316
Humboldt County Library, 85 Est 5th Street, Winnemucca, NV 89445
Lander County Library, 625 South Broad Steet, Battle Mountain, NV 89820
Lincoln County Library, 63 Main Street, Pioche, NV 89043
Lyon County Library, 20 Nevin Way, Yerington, NV 89447
Mineral County Library, 110 1st Street, PO Box 1390, Hawthorne, NV 89415
Nye County Library, 701 East Street, Pahrump, NV 89048
Pershing County Library, 1125 Central Avenue, PO Box 781, Lovelock, NV 89419
Storey County Library, 175 Carson Street, Virginia City, NV 89440
Washoe County Library, 301 S. Center Street, Reno, NV 89501
White Pine County Library, 950 Campton Street, Ely, NV 89301

Posted on: 12/18/2024

NOTICE OF ADOPTION OF REGULATION

The State Conservation Commission adopted regulations assigned LCB File No. R176-24, which pertain to chapter 548 of the Nevada Administrative Code on 1/21/2025. A copy of the regulations as adopted is attached here to.

**PROPOSED REGULATION OF THE
STATE CONSERVATION COMMISSION**

LCB File No. R176-24

August 16, 2024

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

AUTHORITY: §§ 1-6, NRS 548.160 and 548.178.

A REGULATION relating to conservation; requiring the State Conservation Commission in the State Department of Conservation and Natural Resources to administer a competitive grant program for projects that enhance, protect or conserve renewable natural resources; providing requirements for applications to receive a grant and the review of such applications; creating requirements for the distribution and expenditure of grant money; making certain reporting requirements; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the State Conservation Commission in the State Department of Conservation and Natural Resources to: (1) establish a competitive grant program from money appropriated by the Legislature for conservation districts; and (2) distribute money to conservation districts unequally if certain conditions are satisfied. (NRS 548.178) **Section 2** of this regulation authorizes the Commission to administer a competitive grant program to award grants in unequal amounts to conservation districts for projects that enhance, protect or conserve renewable natural resources. **Section 2** additionally provides the requirements a conservation district must satisfy to apply for a grant. **Section 3** of this regulation sets forth the requirements for an application to receive a grant. **Section 4** of this regulation provides the procedures used by the Commission to review an application for a grant. **Section 5** of this regulation: (1) authorizes the Commission to appoint a technical committee to review applications for grants; and (2) sets forth the requirements for the distribution and expenditure of grants of money. **Section 6** of this regulation requires the recipient of a grant to: (1) submit a report to the Conservation Districts Program in the State Department of Conservation and Natural Resources that satisfies certain requirements; and (2) enter into a grant award agreement with the Program to receive the grant of money.

Section 1. Chapter 548 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this regulation.

Sec. 2. 1. In accordance with the provisions of sections 2 to 6, inclusive, of this regulation, the Commission will administer the Renewable Natural Resource Competitive Grant Program for the purpose of awarding grants of money to qualifying conservation districts for projects that enhance, protect or conserve renewable natural resources in the conservation districts. Grants of money may be awarded to qualifying conservation districts in unequal amounts.

2. The Renewable Natural Resource Competitive Grant Program will be funded by money appropriated by the Legislature to the Grant Program and any additional money obtained from other sources which is specifically intended for projects that enhance, protect or conserve renewable natural resources in the conservation districts.

3. The Commission will provide advance notice of the availability of a grant from the Renewable Natural Resource Competitive Grant Program. The notice must specify the deadline for the submission of an application for a grant of money.

4. 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;

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

(c) Has adequate resources to track a grant project and administer the grant money.

5. The Commission has the final authority in all matters relating to the Renewable Natural Resource Competitive Grant Program set forth in sections 2 to 6, inclusive, of this regulation.

Sec. 3. 1. *An application for a grant of money from the Renewable Natural Resource Competitive Grant Program:*

(a) Must be submitted on a form prescribed by the Commission.

(b) Will only be accepted by the Commission within the application period. Any applications received after the deadline specified in the notice provided pursuant to section 2 of this regulation will not be considered.

(c) Must include, without limitation:

(1) A budget for the use of grant money;

(2) The goals for the project; and

(3) The proposed frequency and specificity of the monitoring reports required pursuant to section 6 of this regulation for the project.

2. The Commission will accept more than one application for a grant of money from an eligible applicant. If an applicant submits more than one application, the applications must be ranked by the applicant in order of importance at the time the applicant submits the applications.

3. There is no limit on the amount of grants of money that may be requested by each applicant, but the amount of money awarded to each applicant is solely within the discretion of the Commission.

Sec. 4. 1. *The Commission may appoint a technical committee of not less than two but not more than five experts in the field of renewable natural resources. If appointed, the technical committee serves at the pleasure of the Commission.*

2. *In reviewing an application for a grant of money from the Renewable Natural Resource Competitive Grant Program, the Commission will:*

(a) Rank each application received in order of priority for awarding grants. A matching contribution is not required to apply for a grant, but applications that include a matching contribution, including, without limitation, cash or in-kind matches, will receive a higher ranking by the Commission.

(b) Submit each application to the technical committee, if appointed pursuant to subsection 1, or to another entity with expertise in matters pertaining to renewable natural resources selected by the Commission to review the application and determine whether the project will enhance, protect or conserve natural resources in the conservation district.

(c) Consider only applications for projects that:

(1) Have been determined pursuant to paragraph (b) to enhance, protect or conserve natural resources in the conservation district; and

(2) Can be implemented immediately upon approval by the Commission.

(d) Not consider an application for a grant that is determined by the Commission to be primarily for the purpose of acquiring equipment.

Sec. 5. 1. Unless otherwise authorized by the Commission in an agreement to award a grant of money, grants of money will be disbursed as reimbursements. Grants of money may be disbursed in a lump sum or in installments at the discretion of the Commission.

2. A maximum of 15 percent of the total amount of the grant or grants of money awarded to a conservation district from the Renewable Natural Resource Competitive Grant Program in a fiscal year may be designated and used for administrative or indirect costs related to a project if the conservation district requested to use the grant of money for such costs in the budget included in the application for the grant of money.

3. A grant of money awarded by the Commission pursuant to sections 2 to 6, inclusive, of this regulation:

(a) Except as otherwise provided in paragraph (b), must be expended or obligated during the fiscal year in which it was awarded.

(b) If the Commission authorized the disbursement of the grant of money on a basis other than reimbursement, must be expended or obligated during the fiscal year in which it was disbursed.

(c) May not be committed for expenditure beyond the terms of the grant. Any amount of the grant of money which has not been committed for expenditure during the fiscal year or years for which the money was granted will be deducted from any grant awarded to the conservation district in a future year.

Sec. 6. 1. Unless otherwise required by the Commission, not later than 60 days after the completion of a project for which a grant of money has been approved pursuant to sections 2 to 6, inclusive, 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 Commission and must include, without limitation:

(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 conducted pursuant to NAC 548.115 of whether the

conservation district is found in good standing and eligible to receive a grant of money from the Commission.

3. Each conservation district that is awarded a grant of money pursuant to sections 2 to 6, inclusive, of this regulation shall enter into an agreement with the Program for the award of the grant of money. The agreement must include, without limitation, a requirement that the conservation district submit regular monitoring reports regarding the project, as appropriate for the project. The frequency and specificity of the monitoring reports must be agreed upon by the Program and the conservation district before any grant of money will be distributed by the Commission to the conservation district.