

**PROPOSED REGULATION OF THE
STATE CONSERVATION COMMISSION**

LCB FILE NO. R176-24I

**The following document is the initial draft regulation proposed
by the agency submitted on 06/28/2024**

**PROPOSED ADMINISTRATIVE REGULATION OF THE
NEVADA CONSERVATION DISTRICT PROGRAM**

Nevada Administrative Code Chapter 548

May 23, 2024

RENEWABLE NATURAL RESOURCES GRANT PROGRAM

Section 1. *Administration; funding; notice of availability of grant; eligibility to apply for grant; authority of Commission.*

1. In accordance with Section 1 to Section 5, inclusive, the Commission will administer a 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 such a grant. The notice will 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 resources competitive grant program set forth in Section 1 to Section 5, inclusive.

Sec. 2 *Applications for grants.*

1. An application for a grant of money pursuant to the Renewable Natural Resource Competitive Grant program:

(a) Must be submitted on a form prescribed by the Program; and

(b) Will only be accepted by the Commission within the application period. Any applications received after the deadline specified in the notice pursuant to Section 1 will not be considered.

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. *If appropriate, applicants must use the applicable specifications and practices provided by approved governmental agencies when preparing an application.*

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

Sec. 3 *Duties of Commission in reviewing applications for grants.*

1. *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 a grant technical committee 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.*

2. *As used in this section, “grant technical committee” will be a review panel of no less than 2 and no more than five renewable natural resource experts selected by the Commission and or Program for the review and ranking of grant submissions.*

Sec 4. *Distribution and expenditure of grants of money.*

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. Money will be awarded by the Commission pursuant to Section 1 to Section 5, inclusive:

(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 distributed.

(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 fiscal year.

Sec 5. Reporting requirements.

1. Unless otherwise required by the Commission, within 60 days after the completion of a project for which a grant of money has been approved pursuant to Section 1 to Section 5, inclusive, 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 whether or not the conservation district is found in good standing and eligible to receive a grant of money.

3. Each conservation district that is awarded a grant of money pursuant to Section 1 to Section 5, inclusive, shall enter into an agreement with the Program to award 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 proposed frequency and specificity of the monitoring reports must be provided in the original application for the grant of money and agreed upon by the Program and the conservation district before any grant of money will be distributed by the Commission to the conservation district.