

Heritage Program Regulations

The following is an outline of the Heritage Program regulations and process as they relate to project awards. Not included here are the regulations and processes governing the auctioning of Heritage tags.

Authority:

- NRS 501.3575 – Wildlife Heritage Trust Account
 - Establishes account
 - Revenue – Heritage tags, PIW, Silver State, gifts
 - Expenditures – 75% of prior year revenue + interest
- NAC 501.300 – 340 – Program Expenditures
 - Form of application - 300
 - NDOW review and recommendations - 310
 - Priority guidelines for Commission - 320
 - NDOW administrative duties – 330
 - Recipient duties - 340

Annual Timeline:

- November 1 – applications available to public
- post-January 31 – NDOW reports available funding to Commission
- March 1 – application submission deadline
- April 15 – NDOW reviews and recommendations deadline
- post-April 30 – Heritage Committee recommendations to Commission
- post-July 1 – recipient enters into contract with NDOW
- June 30 – deadline to complete projects or request extension from Commission
- September 30 – deadline to submit completion report (instructions, not regulation)

Areas of Proposed Changes for FY13 awards:

- Change NAC to allow carry forward unspent funds – of the 75% + interest, unspent funds should be allowed to roll forward for reallocation on next year's projects
 - currently, unspent funds can only be carried forward as part of individual project extensions
 - allowing reallocation avoids funds reverting back to reserves
 - \$6,171,344 fund balance as of FY2011 FYE
- Change NAC to implement sub-granting process – in lieu of contracting to administer program awards
 - program is truly a granting program
 - will speed processing of awards
- Develop policies and guidelines on sub-granting (including review process and project scoring), reporting requirements, completion report deadlines, and hold backs for research projects

Areas to Consider Changes for FY14 awards:

- Project application requirements, process, and priorities

Areas to Consider Changes for 2013 Legislature:

- Emergency Access of Reserve Balance

CURRENT HERITAGE REGULATIONS

NRS 501.3575 Wildlife Heritage Trust Account.

1. The Wildlife Heritage Trust Account is hereby created in the State General Fund. The money in the Account must be used by the Department as provided in this section for:

- (a) The protection, propagation, restoration, transplantation, introduction and management of any game fish, game mammal, game bird or fur-bearing mammal in this State; and
- (b) The management and control of predatory wildlife in this State.

2. Except as otherwise provided in [NRS 502.250](#), money received by the Department from:

- (a) A bid, auction, Silver State Tag Drawing or Partnership in Wildlife Drawing conducted pursuant to [NRS 502.250](#); and

- (b) A gift of money made by any person to the Wildlife Heritage Trust Account,

↪ must be deposited with the State Treasurer for credit to the Account.

3. The interest and income earned on the money in the Wildlife Heritage Trust Account, after deducting any applicable charges, must be credited to the Account.

4. The Department may annually expend from the Wildlife Heritage Trust Account an amount of money not greater than 75 percent of the money deposited in the Account pursuant to subsection 2 during the previous year and the total amount of interest earned on the money in the Account during the previous year. The Commission shall review and approve expenditures from the Account. No money may be expended from the Account without the prior approval of the Commission.

5. The Commission shall administer the provisions of this section and may adopt any regulations necessary for that purpose.

(Added to NRS by 1995, 863; A 1997, 785; [2003, 1527](#); [2005, 584](#); [2009, 2056](#))

WILDLIFE HERITAGE TRUST ACCOUNT

NAC 501.300 Application for money from Account: Submission; contents; prerequisites to consideration. ([NRS 501.3575](#))

1. A person, citizens' organization or local, state or federal governmental agency, including, without limitation, the Department and a county advisory board to manage wildlife, may apply for money from the Account to fund a conservation project.

2. A person, citizens' organization or governmental agency who desires to submit an application for funding from the Account for a conservation project must submit an application on the form prescribed by the Commission. Such an application must include, without limitation:

- (a) A brief description of the project;

- (b) A map which shows the location of the project and which includes, without limitation, the title of the project, a scale of the map, the date the map was created and a north arrow;

- (c) A legal description of the property on which the proposed project is to be located that includes, without limitation, the address of the property, access roads, township, range and section;

- (d) A plan for development of the site, if relevant;

- (e) A breakdown of costs and documentation of all hours to be worked by volunteers and of any equipment that will be donated; and

- (f) Any additional information required by the Commission.

3. For a conservation project to be considered for funding for the next fiscal year, an application for the project must be substantially completed and received by the Secretary of the

Commission at the headquarters of the Department between January 1 and March 1. If, at any other time of the year, the Commission determines that money is available to fund an additional project, the Commission may do one or more of the following:

- (a) Request;
- (b) Accept; or
- (c) Approve,

→ applications at such time for conservation projects which are urgent and which present unique opportunities.

(Added to NAC by Bd. of Wildlife Comm'rs by R066-00, eff. 8-18-2000)

NAC 501.310 Application for money from Account: Review and recommendations. ([NRS 501.3575](#)) Upon receipt of an application, the Department shall review the application, complete the portions of the application the Department is required to complete and send the application to the Heritage Trust Committee of the Commission and to each county advisory board to manage wildlife for review and comment before April 15 of each year. The Heritage Trust Committee of the Commission shall prepare its recommendations for funding and present such recommendations for public comment and approval by the Commission at the first meeting of the Commission after April 30 of each year.

(Added to NAC by Bd. of Wildlife Comm'rs by R066-00, eff. 8-18-2000)

NAC 501.320 Application for money from Account: Priorities for approval. ([NRS 501.3575](#)) The Commission will review the applications and decide which conservation projects will receive money from the Account during the next fiscal year. The Commission will give priority to conservation projects that:

- 1. Have additional sources of money to fund the project;
- 2. Involve habitat restoration and improvement of a long-term or permanent nature; and
- 3. Demonstrate a need for money to fund the project.

(Added to NAC by Bd. of Wildlife Comm'rs by R066-00, eff. 8-18-2000)

NAC 501.330 Duties of Secretary of Commission. ([NRS 501.3575](#))

1. On or before November 1 of each year, the Secretary of the Commission shall make available to the public the application form described in [NAC 501.300](#).

2. On or before the first meeting of the Commission after January 31 of each year, the Secretary of the Commission shall provide to the Commission an accounting of:

(a) Seventy-five percent of the amount of money deposited in the Account during the previous calendar year; and

(b) All interest earned on the Account during that year.

(Added to NAC by Bd. of Wildlife Comm'rs by R066-00, eff. 8-18-2000; A by R111-05, 10-31-2005)

NAC 501.340 Duties of person managing or supervising conservation project; time for completion; cancellation of funding. ([NRS 501.3575](#))

1. A person who is responsible for managing or supervising a conservation project that is approved by the Commission shall:

- (a) Complete a contract for services on a form provided by the Commission;
- (b) Comply with all local, state and federal laws when executing the project;
- (c) Coordinate all relevant sources of money for the project;

(d) Submit written requests for money in accordance with the policy of the Department before receiving a payment from the Account; and

(e) Upon request of the Commission, allow the Commission or a representative of the Commission who has been designated by the Commission for such a purpose to observe any activity related to the project.

2. A conservation project that receives money from the Account must be completed by the end of the fiscal year for which money is awarded from the Account for the project, unless, before that date, a person who is responsible for managing or supervising the project demonstrates that unusual circumstances exist which require an extension of time and the Commission approves such an extension.

3. If a person who is responsible for managing or supervising a project fails to meet any requirement of subsection 1, the Commission may cancel funding of the project and disqualify the project from any future funding.

(Added to NAC by Bd. of Wildlife Comm'rs by R066-00, eff. 8-18-2000)

NDOW PROPOSED CHANGES TO HERITAGE NAC

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(c) A legal description of the property on which the proposed project is to be located that includes, without limitation, the address of the property, access roads, township, range and section;

(d) A plan for development of the site, if relevant;

(e) A breakdown of costs and documentation of all hours to be worked by volunteers and of any equipment that will be donated; and

(f) Any additional information required by the Commission.

3. For a conservation project to be considered for funding for the next fiscal year, an application for the project must be substantially completed and received by the Secretary of the Commission at the headquarters of the Department between January 1 and March 1. If, at any other time of the year, the Commission determines that money is available to fund an additional project, the Commission may do one or more of the following:

(a) Request;

(b) Accept; or

(c) Approve,

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(a) Seventy-five percent of the amount of money deposited in the Account during the previous calendar year; and

(b) All interest earned on the Account during that year;~~and~~

(c) Any balance of project funds from prior years available for redistribution.

(Added to NAC by Bd. of Wildlife Comm'rs by R066-00, eff. 8-18-2000; A by R111-05, 10-31-2005)

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NAC 501.340 Duties of person managing or supervising conservation project; time for completion; cancellation of funding. (NRS 501.3575)

1. A person who is responsible for managing or supervising a conservation project that is approved by the Commission shall:

(a) ~~Complete a contract for services on a form provided by the Commission~~Enter into a subgrant agreement as prescribed by the Department;

(b) Comply with all local, state and federal laws when executing the project;

(c) Coordinate all relevant sources of money for the project;

(d) Submit written requests for money in accordance with the policy of the Department before receiving a payment from the Account; and

(e) Upon request of the Commission, allow the Commission or a representative of the Commission who has been designated by the Commission for such a purpose to observe any activity related to the project.

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3. If a person who is responsible for managing or supervising a project fails to meet any requirement of subsection 1, the Commission may cancel funding of the project and disqualify the project from any future funding.

(Added to NAC by Bd. of Wildlife Comm'rs by R066-00, eff. 8-18-2000)

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[NAC 501.350 Funding Redistribution](#)

1. If, upon completion of a project, awarded funds are not used for that projects, those funds are available for distribution.
2. If a person who is responsible for managing or supervising a project fails to meet any requirement of NAC 501.340, subsection 1, the Commission may cancel funding of the project and disqualify the project from any future funding.
3. Any funds unused as a result of subsection 1 or 2, may be redistributed by the Commission in a subsequent award year as defined in NAC 501.310.

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