

To: Members of the Nevada Commission on Off Highway Vehicles
From: Greg McKay
Subject: Information Regarding Grant Funding and Changes to the Grant Guidebook
Date: March 7, 2016

As a follow-up to the Commission's January 14, 2016 grant award meeting, the following information is intended to report on the status of the grants that have been awarded and direct funding that has been committed along with an analysis of what the Commission must still spend/award to ensure compliance with its statutory mandate.

\$239,500.00 was awarded in grants on January 14, 2016, and another \$50,000.00 in direct spending has been approved and allocated for a total of \$289,500.00 in total (3)(b) spending (refers to NRS 490.069 below) for 2016. **\$153,833.33 must still be awarded or spent** in 2016 based on the percentage of (3) (b) spending already allocated to projects under category (3)(b)(1)(V) (hereinafter, "(V)"). If more money is approved for spending under (V) this year (whether directly or by grant), additional spending above the \$153,833.33 pursuant to (3) (b) will have to be made to keep (V) within 30% of the money actually spent pursuant to (3) (b) allowables. Sub-category (V) currently represents **45.94 percent** of the money that the commission has awarded or spent under paragraph (3) (b) (see red below).

NRS 490.069 Account for Off-Highway Vehicles: Creation; use of money in Account.

1. The Account for Off-Highway Vehicles is hereby created in the State General Fund as a revolving account. The Commission shall administer the Account. Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward to the next fiscal year.

2. During the period beginning on July 1, 2012, and ending on June 30, 2013, money in the Account may only be used by the Commission for the reasonable administrative costs of the Commission and to inform the public of the requirements of this chapter.

3. On or after July 1, 2013, money in the Account may only be used by the Commission as follows:

(a) Not more than 5 percent of the money that is in the Account as of January 1 of each year may be used for the reasonable administrative costs of the Account.

(b) Except as otherwise provided in subsection 4, 20 percent of any money in the Account as of January 1 of each year that is not used pursuant to paragraph (a) must be used for law enforcement, as recommended by the Office of Criminal Justice Assistance of the Department of Public Safety, or its successor, and any remaining portion of that money may be used as follows:

(1) Sixty percent of the money may be used for projects relating to:

(I) Studies or planning for trails and facilities for use by owners and operators of off-highway vehicles. Money received pursuant to this sub-subparagraph may be used to prepare environmental assessments and environmental impact studies that are required pursuant to 42 U.S.C. §§ 4321 et seq. **Proposal 3 \$36,500 (Maximum limit is subject to 30% of amount spent for all projects under (3)(b)) (YTD percentage is currently 12.61%)**

(II) The mapping and signing of those trails and facilities.

(III) The acquisition of land for those trails and facilities.

(IV) The enhancement and maintenance of those trails and facilities. **Proposal 2 \$60,000 (Maximum limit is subject to 30% of amount spent for all projects under (3)(b)) (YTD percentage is currently 20.73%)**

(V) The construction of those trails and facilities. **Proposal 10 \$133,000 (Maximum limit is subject to 30% of amount spent for all projects under (3)(b)) (YTD percentage is currently 45.94%)**

(VI) The restoration of areas that have been damaged by the use of off-highway vehicles.

(2) Fifteen percent of the money may be used for safety training and education relating to off-highway vehicles. **Proposal 1 \$10,000 and County ILA \$50,000 (Maximum limit is subject to 15% of account balance only)**

4. **If money is used** for the projects described in paragraph (b) of subsection 3, **not more than 30 percent of such money** may be allocated to any one category of projects described in subparagraph (1) of that paragraph.

(Added to NRS by [2009, 3081](#); A [2011, 292](#); [2013, 2763](#))

Interpreting paragraph 4, the phrase “if money is used” is a reference to the 75% that may be spent under (3)(b)(1) and (2), and that number currently represents the \$239,500.00 awarded in grants (3)(b)(1) and (2), as well as the \$50,000.00 awarded in direct spending (3)(b)(2). The 30 percent cap, however, applies, not to the account balance or to the total amount available for spending at the beginning of the year, but to the money actually spent under (3)(b)(1) and (2), based on the phrase “of such money,” which is referencing the beginning of the paragraph referring to money actually used, as opposed to money available to be used.

The NCOHV should make it clear in the grant announcement how much will be available to award in categories (I), (II), (III), (IV), and (VI) to ensure compliance with the maximum percentage of spending that must be adhered to in each category.

Ideas offered by the Nevada Office of Grant Procurement, Coordination and Management (“Grants Office”) to improve the grant guidebook and scoring process

1. Keep the time period the same.
2. The Grants Office will assist applicants in preparing their grant applications during a limited, specified time period.
3. Change the requirement “to provide support letters” to “to provide commitment letters” that clearly outline the role and commitment of the groups to the project.
4. Applicants must state what funding category they are applying for in their grant application.
5. Any project funded by the NCOHV must prominently display NCOHV funding onsite.
6. The Grants Office will develop a matrix to make scoring between capital projects and planning/study projects more equitable.
7. A minimum score of 70% is needed to be considered for NCOHV funding.

Ideas offered by NCOHV Commissioners on the grant process

1. Give the non-voting advisers the specific statutory requirements for their evaluations.
2. Make the scoring categories “met standard” or “didn’t meet standard”. Eliminate the “exceeded standard”.