



Bradley Crowell, *Director*
James R. Lawrence, *Deputy Director*
Dominique Etchegoyhen, *Deputy Director*

STEVE SISOLAK
Governor

State of Nevada
Off-Highway Vehicles Program
901 South Stewart Street, Suite 1003
Carson City, Nevada 89701
Telephone (775) 684-2794
ohv.nv.gov



Nevada Commission on Off-Highway Vehicles
Maurice White, *Chair*
Kevin Malone, *Vice Chair*

NOTICE OF INTENT TO ACT UPON A REGULATION **PUBLIC HEARING**

LCB File Number R122-20

The Nevada Off-Highway Vehicles Program (NOHVP) will be holding a Public Hearing to receive comments from interested persons regarding the adoption of regulations that pertain to Chapter 490 of the Nevada Administrative Code.

DATE: Monday June 6, 2022, at 10:00 A.M.

LOCATION: Nevada Department of Conservation and Natural Resources Bryan building,
2nd Floor, Tahoe Conference Room
901 S. Stewart Street Carson City, NV 89701

Teleconference Access Information: <https://call.lifesizecloud.com/6678206> Phone
(audio only): United States: +1 (877) 422-8614
Meeting extension: 6678206

NRS 490.069 (3) (a) Provides authority for the commission to adopt regulations setting forth who may apply for a grant of money from the Account or Off-Highway vehicles and the manner in which such an applicant may submit the application to the Commission.

The need and purpose of the proposed regulation: The purpose of the proposed regulation is to update provisions governing issuance of grants from the Account for Off-Highway Vehicles. The regulation provides updates to definitions, grant monitoring activities, and scoring of applications based on funding priorities decided by the Nevada Commission on Off-Highway Vehicles. The regulation also tasks the Nevada Off-Highway Vehicle Program (NOHVP) with soliciting grant applications, notices for grant agreements, administering the grant through the two-year lifecycle, and closing completed grant project prior to final reimbursement.

The estimated economic effect of the proposed regulations on (a) regulated businesses and (b) the public include, stated separately, (i) adverse and beneficial effects; and (ii) immediate and long-term effects:

(a) Regulated businesses:

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- (i) Adverse and beneficial effects: NOHVP anticipates no adverse effects, either direct or indirect, on regulated businesses as the result of the regulation. There will be no direct or indirect cost to regulated or small businesses. NOHVP believes that there will be no beneficial effects, either direct or indirect, on regulated or small businesses as the result of these regulations.
 - (ii) Immediate and long-term effects: NOHVP does not anticipate any immediate effects, either adverse or beneficial, on regulated or small businesses because of these regulations. NOHVP does not anticipate any long-term effects, either adverse or beneficial, on regulated or small businesses because of these regulations.
- (b) The public:
- (i) Adverse and beneficial effects: NOHVP views most of the regulation changes primarily as housekeeping and does not anticipate adverse impacts to the public because of these regulations. The proposed changes will allow the NOHVP to fine tune grant administration and streamline reimbursements to grant projects which previously required approval from the Nevada Commission on Off-Highway Vehicles.
 - (ii) Immediate and long-term effects: NOHVP anticipates the immediate and long-term effects will improve how NOHVP receives, reimburses, and monitors grants. Additionally, the regulation aligns NAC 409 with NRS 409 so that language consistent throughout.

The estimated cost to the Program for enforcement of the proposed regulation: NOHVP does not anticipate incurring any additional cost for these proposed permanent regulations.

The proposed regulation does not overlap or duplicate any existing regulation, however, amends the existing regulation.

The proposed regulation is not required by federal law and there is no equivalent federal law.

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A copy of the proposed regulation changes may be obtained at the workshop or by online at: <https://ohv.nv.gov/assets/etc/meetings/R122-20P.PDF> .

Persons wishing to comment upon the proposed action of Nevada Off-Highway Vehicles Program may appear via virtual meeting or by telephone at the scheduled public hearing time or may address their comments, data, views, or arguments, in written form to Nevada Off-Highway Vehicles Program, 901 S. Stewart Street #1003, Carson City, NV 89701. Written submissions must be received by Nevada Department of Conservation and Natural Resources on or before 1:00 p.m., June 2, 2022. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, Nevada Off-Highway Vehicles Program may proceed immediately to act upon any written submission.

A copy of the notice and regulation to be adopted are available at the NOHVP website at OHV.NV.GOV/Meeting and the Nevada Public Notice website at <http://notice.nv.gov>. This notice and the text of the proposed regulation are also available at the State of Nevada Register of Administrative Regulations at <https://www.leg.state.nv.us/App/Notice/A/>, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://leg.state.nv.us/>. Copies of this notice and the proposed regulation can also be mailed to members of the public at no charge upon request.

Workshops to solicit public comments on the proposed permanent regulations were conducted on June 24, 2020 and May 13, 2020, pursuant to Nevada Open Meeting Law.

This Notice of Public Hearing to Solicit Comments on Proposed Regulation has been sent to all persons on the program mailing list for administrative regulations and posted on or before 9:00am, thirty days before the meeting at the following locations:

Nevada OHV Program website at <https://ohv.nv.gov/meeting>
Nevada State Legislature website at www.leg.state.nv.us/App/Notice/A/
Nevada Public Notice website at <http://notice.nv.gov>

Department of Conservation and Natural Resources, 901 S. Stewart St., Carson City, Nevada
Nevada State Legislature, 401 S. Carson St., Carson City, Nevada
Grant Sawyer Building, 555 E. Washington Ave, Las Vegas, Nevada
Nevada State Library and Archives, 100 N. Stewart St, Carson City, Nevada

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Storey County Library, 175 Carson Street, Virginia City, NV 89440
Humboldt County Library, 85 E. 5th Street, Winnemucca, NV 89445
Churchill County Library, 553 South Maine Street Fallon, NV 89406
Elko County Library, 720 Court Street Elko, NV 89801
Lincoln County Library, P.O. Box 330 Pioche, NV 89803
Mineral County, P.O. Box 1390 Hawthorne, NV 89415
Pershing County Library, P.O. Box 781 Lovelock, NV 89419
Goldfield Public Library, P.O. Box 430 Goldfield, NV 89013
Washoe County Downtown Library, 301 S. Center St. Reno NV, 89501
White Pine County Library, 950 Campton Street Ely, NV 89301
Douglas County Library, P.O. Box 337 Minden, NV 89423
Eureka Brandon Library, P.O. Box 293 Eureka, NV 89316
Battle Mountain Library, P.O. Box 141 Battle Mountain, NV 89820
Lyon County Library, 20 Nevin Way Yerington, NV 89447

Date: MAY 5, 2022

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PUBLIC HEARING AGENDA

Monday, June 6, 2022 at 10:00 A.M.
Richard Bryan Building, Tahoe Conference Room 2nd Floor
901 S. Stewart Street, Carson City, NV 89701

Teleconference Access Information

Join the Meeting at <https://call.lifesizecloud.com/6678206>
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Meeting extension: 6678206

*Please MUTE your phone while listening to the meeting,
except when making public comment.*

- I. **Call to Order**
- II. **Public Comment:** In consideration of others who may wish to provide public comment, please avoid repetition, and limit your comment to three minutes per person.
- III. **Overview and Discussion of Proposed Changes to NAC Chapter 490:**
<https://ohv.nv.gov/assets/etc/meetings/R122-20P.PDF>
- IV. **Adoption of regulation R122-20 *FOR POSSIBLE ACTION*:** The commission may vote to adopt the regulation without substantive changes.
- V. **Public Comment:** In consideration of others who may wish to provide public comment please avoid repetition and limit your comment to three minutes per person.
- VI. **Adjournment**

Notice of this meeting was posted in the following locations:

Department of Conservation and Natural Resources, 901 S. Stewart St., Carson City, Nevada
Nevada State Legislature, 401 S. Carson St., Carson City, Nevada
Grant Sawyer Building, 555 E. Washington Ave, Las Vegas, Nevada
Nevada State Library and Archives, 100 N. Stewart St, Carson City, Nevada