

COMPLETENESS :

Requirement to not consider incomplete / noncompliant application :

NAC 490.1385 Request for applications for grant: Posting on Internet website; content. Under the direction of the Commission, the

Program shall ensure that a request for grant applications *issued* pursuant to NAC 490.1335

2. Sets forth :

(c) Notice to prospective applicants that the *Program shall* not score or take further action with respect to an application **that is not complete** by the deadline for accepting applications.

(g) All details and definitions that are required for an application to be considered complete.

NAC 490.1365 Application for grant required to comply with certain provisions.

490.1365 An application that is submitted to the Commission to apply for a grant **must comply** with the provisions of NAC 490.137 and 490.1375 **[.] and the applicable request for grant applications issued pursuant to NAC 490.1335.**

NAC 490.1385 Request for applications for grant: Posting on Internet website; content. (NRS 490.068)

490.1385 ~~{When the Commission issues}~~ *Under the direction of the Commission, the Program shall ensure that* a request for grant applications *issued* pursuant to NAC 490.1335 :

2. Sets forth : ~~{; in addition to the requirements of subsection 2 of NAC 490.1393;}~~

(c) Notice to prospective applicants that the ~~{Commission, the Office of Grant Procurement, Coordination and Management and the nonvoting members will}~~ *Program shall* not score or take further action with respect to an application that is not complete by the deadline for accepting applications.

NAC 490.140 Return of incomplete or noncompliant application for grant; scoring of complete application. (NRS 490.068)

If an incomplete or noncompliant grant application is submitted to the Program, the Program may return the application to the applicant for correction. The Program shall not accept a corrected application submitted after the final deadline for accepting applications.

What constitutes a complete and compliant Application ? :

NRS 490.068 Election of officers; Commission authorized to award grants of money from Account; duties of Commission relating to Account; report to Legislature.

3. The Commission may award a grant of money from the Account for Off-Highway Vehicles created by **NRS 490.069**. Any such grant **must comply** with the requirements set forth in NRS 490.069.

The Commission shall:

- (a) **Adopt regulations** setting forth who may apply for a grant of money from the Account for Off-Highway Vehicles and the manner in which such an applicant may submit the application to the Commission. The regulations adopted pursuant to this paragraph must include, without limitation, **requirements that:**
- (1)** Any applicant requesting a grant provide proof satisfactory to the Commission that the appropriate federal, state or local governmental agency has been consulted regarding the nature of the project to be funded by the grant and regarding the area affected by the project;
 - (2)** The application for the grant address all applicable laws and regulations, including, without limitation, those concerning:
 - (I)** Threatened and endangered species in the area affected by the project;
 - (II)** Ecological, cultural and archaeological sites in the area affected by the project; and
 - (III)** Existing land use authorizations and prohibitions, land use plans, special designations and local ordinances for the area affected by the project; and
 - (3)** Any compliance information provided by an appropriate federal, state or local governmental agency, and any information or advice provided by any agency, group or individual be submitted with the application for the grant.

NAC 490.135 Written agreement with governmental agency required to apply for grant under certain circumstances.

If a person ~~{who}~~ seeks to apply to the Commission for a grant ~~{proposes}~~ to carry out a project on public land, the person must ~~{, before applying to the Commission, have}~~ **obtain** a ~~{written agreement to use}~~ **letter of support for impacting** the land ~~{with any}~~ **from the** governmental entity having jurisdiction over that land .

NAC 490.1355 Interest in real property required to apply for grant. (NRS 490.068)

1. At the time a person seeks to apply to the Commission for a grant **[.] to carry out a project on private land**, the person must have an interest in the real property on which the proposed project will be carried out, such that the interest satisfies the requirements of this section.
2. The interest in the real property **[.] on private land**, whether by way of ownership, lease, rental, easement, right-of-way, written agreement or other legal instrument, must be sufficient in scope and authority to allow the applicant:
 - (a) To complete the proposed project; and
 - (b) To operate and maintain the proposed project **for a period of not less than 25 years** after its completion **[.] or for the normal life of the project, whichever is longer.**

NAC 490.1365 Application for grant required to comply with certain provisions. (NRS 490.068)

490.1365 An application that is submitted to the Commission to apply for a grant must comply with the provisions of NAC 490.137 and 490.1375 ~~[.]~~ *and the applicable request for grant applications issued pursuant to NAC 490.1335.*

required elements of the letter of support : Program should create a form letter containing all the elements that the land owner would initial each element as agreed to or not applicable, then sign and date. MW

NAC 490.137 Contents of application for grant: Generally. (NRS 490.068)

An application must

include verifiable evidence, in writing ~~and satisfactory to the Commission:~~

1. Setting forth that each appropriate *private entity or* federal, state or local governmental agency:
 - (a) Has been consulted by the applicant; and
 - (b) Has approved the proposed project.
2. Addressing all applicable laws and regulations concerning:
 - (a) Threatened and endangered species in the area or areas affected by the proposed project;
 - (b) Ecological, cultural and archaeological sites in the area or areas affected by the proposed project; and
 - (c) Existing land use authorizations and prohibitions, land use plans, special designations and local ordinances for the area or areas affected by the proposed project.
3. Containing any information related to compliance that is provided by an appropriate *private entity or* federal, state or local governmental agency, and any information or advice provided by any agency, group or natural person.
(Added to NAC by Comm'n on Off-Highway Veh. by R131-14, eff. 8-10-2015)

NAC 490.1375 Contents of application for grant: Plan for completion of project. (NRS 490.068)

490.1375 Except as otherwise provided in this section, an application must include, in writing, ~~[and satisfactory to the Commission,]~~ the applicant's plan for completing the proposed project not more than 2 years after the Notice to Proceed is issued, as described in subsection 1 of NAC 490.1435. The ~~[Commission]~~ *Program* may, for good cause shown, waive or otherwise modify the requirement set forth in this section.