

DATE: October 5, 2026

TO: Nevada Commission on Off-Highway Vehicles and Department of Conservation and Natural Resources

FROM: A'Keia Sanders, Director, Governor's Office of Federal Assistance *AS*

SUBJECT: Fiscal and Administrative Responsibilities for the OHV Grant Program

The Governor's Office of Federal Assistance (OFA) concurs with the Department of Conservation and Natural Resources' (DCNR or Department) position that the Off-Highway Vehicles (OHV) grant program must operate in accordance with applicable State of Nevada policies and procedures. The Department, the OHV Program, and the Nevada Commission on Off-Highway Vehicles (Commission) must follow these requirements within their respective responsibilities for administering public funds.

DCNR's statutory responsibility to administer the OHV Program and Account supports routine fiscal review by authorized Department and Program staff. Such review must follow established program procedures and award terms while preserving any action or review expressly assigned to the Commission by law or regulation.

Statutory Authority and Responsibilities

NRS 232.1585(1)–(2) establishes the OHV Program within DCNR and assigns administration of the Program and its Account to the Department's Director. NRS 490.069(1) further assigns administration of the Account for Off-Highway Vehicles to the Director, while subsection (2) restricts the purposes for which its funds may be used.

NRS 490.068 assigns the Commission responsibility for providing program direction, awarding grants, and adopting regulations governing grant applications and awards. The Commission exercises these responsibilities within the requirements established by Nevada law. Its grant-making authority does not exempt the program from applicable state fiscal controls.

NRS 353A.010 includes executive branch commissions within the definition of an agency for purposes of internal accounting and administrative control. NRS 353A.020 requires agencies to establish written procedures implementing the State's uniform control system, while NRS 353A.025 requires agency heads to periodically review compliance. The OHV Commission is not among the exclusions identified in those provisions.

Application of State Grant Requirements

Administration of the OHV grant program must comply with applicable Nevada law, State Administrative Manual requirements, and governing award provisions. Agency and program procedures must remain consistent with these authorities.

The Nevada Grant Policy Manual provides guidance for agencies administering federal and state-funded grants. Policy 010-008, Cost Principles Compliance, establishes standards for evaluating whether costs are necessary, reasonable, and allocable to the approved project. Costs must also conform to award conditions and receive consistent accounting treatment.



Authorized Department and Program staff apply the governing requirements when reviewing grant budgets and reimbursement requests. Their review includes determining whether proposed expenses are eligible and adequately documented. Approval of a grant award does not, by itself, establish that every proposed or subsequently submitted expense is reimbursable.

Departmental Fiscal and Administrative Review

OFA supports DCNR's exercise of its statutory administrative responsibilities through authorized Department and Program staff. Routine review includes applying established cost principles, requesting supporting documentation, and enforcing existing award conditions.

Where governing procedures and award provisions assign these determinations to Department or Program staff, those staff may carry out the review without obtaining a separate Commission vote for each determination. This authority remains subject to any approval or review expressly required by law, regulation, or the governing agreement.

The Commission's responsibility for program direction and grant awards operates alongside the Department's responsibility for lawful fiscal administration. Commission approval cannot substitute the documentation or compliance necessary to support an expenditure of public funds.

Neither a Commission vote nor a grantee request authorizes an expenditure contrary to governing law or applicable statewide fiscal requirements. Any revision to a Commission-established program policy must follow a lawful process within the Commission's authority and remain consistent with governing requirements and existing award obligations.

OFA Authority and Concurrence

NRS 223.478(1)(c) directs OFA to develop a policies and procedures manual relating to federal assistance. Subsection (1)(k) addresses training concerning grant administration and compliance. NRS 223.481 further authorizes collaboration with state grant-making entities concerning advance payment practices, associated risk monitoring, and methods of complying with federal grant requirements.

OFA provides this guidance within its statutory coordination role. That role does not displace the responsibilities assigned to DCNR or the Commission.

OFA concurs with DCNR's position that the OHV grant program and Commission must follow applicable state requirements. OFA also supports routine fiscal and administrative review by authorized Department and Program staff under established procedures and award provisions, while preserving matters expressly requiring Commission action.