

## State Department of Conservation and Natural Resources

### **NRS 232.161 Account to Restore the Sagebrush Ecosystem: Creation; duties of Director; limitations on use of money in Account.**

1. The Account to Restore the Sagebrush Ecosystem is hereby created in the State General Fund. The Director shall administer the Account in a manner consistent with policies and priorities established by the Sagebrush Ecosystem Council created by [NRS 232.162](#).

2. The Director may apply for and accept any gift, donation, bequest, grant or other source of money. Any money so received must be deposited in the Account.

3. The interest and income earned on the money in the Account, after deducting any applicable charges, must be credited to the Account. Money that remains 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.

4. The money in the Account may only be used to establish and carry out programs to preserve, restore and enhance sagebrush ecosystems pursuant to [NRS 321.592](#) and [321.594](#) and is hereby authorized for expenditure as a continuing appropriation for this purpose.

5. Claims against the Account must be paid as other claims against the State are paid.

(Added to NRS by [2013, 3383](#))

### **NRS 232.162 Sagebrush Ecosystem Council: Creation; members; terms; powers; duties; report to Governor.**

1. The Sagebrush Ecosystem Council is hereby created in the Department. The Council consists of:

(a) The following nine voting members appointed by the Governor:

- (1) One member who represents agricultural interests;
- (2) One member who represents the energy industry;
- (3) One member who represents the general public;
- (4) One member who represents conservation and environmental interests;
- (5) One member who represents mining interests;
- (6) One member who represents ranching interests;
- (7) One member who represents local government;
- (8) One member who acts as a liaison for Native American tribes; and
- (9) One member of the Board of Wildlife Commissioners or his or her designee.

(b) In addition to the members appointed pursuant to paragraph (a), the following nonvoting members:

- (1) The Director of the State Department of Conservation and Natural Resources;
- (2) The Director of the Department of Wildlife;
- (3) The Director of the State Department of Agriculture;
- (4) The State Director of the Nevada State Office of the Bureau of Land Management;
- (5) The State Supervisor of the Nevada State Office of the United States Fish and Wildlife Service;
- (6) The Forest Supervisor for the Humboldt-Toiyabe National Forest; and
- (7) Any other members appointed by the Governor as nonvoting members.

2. The provisions of subsection 6 of [NRS 232A.020](#) do not apply to the appointment by the Governor of the members of the Council.

3. After the initial terms, each member of the Council appointed pursuant to subparagraphs (1) to (8), inclusive, of paragraph (a) of subsection 1 and subparagraph (7) of paragraph (b) of subsection 1 serves a term of 4 years, commencing on July 1.

4. A vacancy in the membership of the Council must be filled in the same manner as the original appointment for the remainder of the unexpired term. A member may be reappointed.

5. While engaged in the business of the Council, each voting member is entitled to receive a salary of not more than \$80 per day, as established by the Council, and the per diem allowance and travel expenses provided for state officers and employees generally.

6. The Council may:

(a) Adopt regulations to govern the management and operation of the Council;

(b) Establish subcommittees consisting of members of the Council to assist the Council in the performance of its duties; and

(c) Consider and require the recovery of costs related to activities prescribed by paragraph (d) of subsection 2 of [NRS 321.594](#) pursuant to [NRS 701.600](#) to [701.640](#), inclusive, or any other authorized method of recovering those costs.

7. The Council **shall**:

(a) Consider the best science available in its determinations regarding and conservation of the greater sage grouse (*Centrocercus urophasianus*) and sagebrush ecosystems in this State;

(b) Establish and carry out strategies for:

(1) The conservation of the greater sage grouse and sagebrush ecosystems in this State; and

(2) Managing land which includes those sagebrush ecosystems, taking into consideration the importance of those sagebrush ecosystems and the interests of the State;

(c) Establish and carry out a long-term system for carrying out strategies to manage sagebrush ecosystems in this State using an adaptive management framework and providing for input from interested persons and governmental entities;

(d) Oversee any team within the Division of State Lands of the Department which provides technical services concerning sagebrush ecosystems;

(e) Establish a program to mitigate damage to sagebrush ecosystems in this State by authorizing a system that awards credits to persons, federal and state agencies, local governments and nonprofit organizations to protect, enhance or restore sagebrush ecosystems;

(f) Solicit suggestions and information and, if necessary, prioritize projects concerning the enhancement of the landscape, the restoration of habitat, the reduction of nonnative grasses and plants and the mitigation of damage to or the expansion of scientific knowledge of sagebrush ecosystems;

(g) If requested, provide advice for the resolution of any conflict concerning the management of the greater sage grouse or a sagebrush ecosystem in this State;

(h) Coordinate and facilitate discussion among persons, federal and state agencies and local governments concerning the maintenance of sagebrush ecosystems and the conservation of the greater sage grouse;

(i) Provide information and advice to persons, federal and state agencies and local governments concerning any strategy, system, program or project carried out pursuant to this section or [NRS 321.592](#) or [321.594](#); and

(j) Provide direction to state agencies concerning any strategy, system, program or project carried out pursuant to this section or [NRS 321.592](#) or [321.594](#) and resolve any conflict with any direction given by another state board, commission or department jointly with that board, commission or department, as applicable.

8. On or before June 30 and December 31 of each year, the Council shall submit a written report to the Governor. The report must include, without limitation:

(a) Information concerning the overall health and population of the greater sage grouse within this State and in the United States and the overall health of sagebrush ecosystems within this State, including, without limitation, information concerning any threats to the population of sage grouse and any sagebrush ecosystems within this State;

(b) Information concerning all strategies, systems, programs and projects carried out pursuant to this section and [NRS 321.592](#) and [321.594](#), including, without limitation, information concerning the costs, sources of funding and results of those strategies, systems, programs and projects; and

(c) Any other information specified by the Council.

(Added to NRS by [2013, 3383](#))

## SAGEBRUSH ECOSYSTEMS

**NRS 321.0007 “Division” defined.** “Division” means the Division of State Lands of the State Department of Conservation and Natural Resources.

(Added to NRS by [1997, 962](#))

**NRS 321.592 Division authorized to establish and carry out programs to preserve, restore and enhance sagebrush ecosystems.** Except as otherwise provided in [NRS 321.594](#), the Division may establish and carry out programs to preserve, restore and enhance sagebrush ecosystems on public land in this State, and on privately owned land in this State with the consent of the owner of the land.

(Added to NRS by [2013, 3382](#))

**NRS 321.594 Powers and duties of Administrator and Division regarding programs to improve sagebrush ecosystems; Division authorized to make certain grants and enter into certain contracts and agreements; regulations.**

1. The Administrator of the Division shall coordinate the establishment and carrying out of a program of projects to improve sagebrush ecosystems in this State. The Division shall cooperate, without limitation, with:

- (a) The Department of Wildlife;
- (b) The State Department of Agriculture; and
- (c) The Division of Forestry of the State Department of Conservation and Natural Resources.

2. In carrying out the program described in subsection 1, the Division, on behalf of the Director of the State Department of Conservation and Natural Resources, shall:

(a) Oversee and administer a program to mitigate damage to sagebrush ecosystems through a system that awards credits to persons, federal and state agencies, local governments and nonprofit organizations who take measures to protect, enhance or restore sagebrush ecosystems established by the Sagebrush Ecosystem Council created by [NRS 232.162](#);

(b) Identify and, if necessary, prioritize any projects concerning the enhancement of the landscape, the restoration of habitat, the reduction of any nonnative grasses and plants and the mitigation of damage to or the expansion of scientific knowledge of sagebrush ecosystems;

(c) Coordinate activities with federal agencies;

(d) If requested, consult with persons proposing to conduct activities in any area which includes any habitat of the greater sage grouse (*Centrocercus urophasianus*) to suggest measures to avoid, minimize or mitigate the effect of the activities on any sagebrush ecosystem;

(e) Solicit grants and private contributions for projects to improve sagebrush ecosystems; and

(f) On or before August 1 of each year, submit a report to the Sagebrush Ecosystem Council created by [NRS 232.162](#). The report must include, without limitation:

(1) A description of each project conducted or planned to be conducted pursuant to the program described in subsection 1, including the cost, source of funding and, for projects that have been carried out, the results of the project;

(2) A description of any agreement between the Division and any person, federal or state agency, local government or nonprofit organization, including the purpose and provisions of the agreement;

(3) A list of all grants and private contributions solicited and all grants awarded to further the purposes of the program;

(4) A description of any significant activities conducted in any area which includes habitat of the greater sage grouse and all measures adopted to avoid, minimize or mitigate the effect of the activities on any sagebrush ecosystem; and

(5) Any other information specified by the Division or requested by the Council.

3. The Division may:

(a) Enter into any agreement with a person, federal or state agency, local government or nonprofit organization to further the preservation, restoration and enhancement of sagebrush ecosystems on public land or on privately owned land with the consent of the owner of the land;

(b) In accordance with subsection 3 of [NRS 321.001](#), acquire and hold land and any interest in land or water required to carry out the program described in subsection 1;

(c) Sell or lease land and any interest in land or water that the Division determines is no longer necessary to carry out the program described in subsection 1;

(d) Within the limits of available money, award grants of money to other state agencies, local governments and nonprofit organizations to carry out the program described in subsection 1;

(e) Adopt any (3) to carry out the provisions of this section; and

(f) Conduct any other activities specified by the Division to carry out the program described in subsection 1.

4. The proceeds from the sale or lease of land or of any interest in land or water pursuant to paragraph (c) of subsection 3 must be deposited in the Account to Restore the Sagebrush Ecosystem created by [NRS 232.161](#).

(Added to NRS by [2013, 3382](#))

## **ATTORNEY GENERAL**

### **NRS 228.140 Prosecution and defense of causes in Supreme Court; accounting; assistance in impeachments.**

1. The Attorney General shall attend each of the terms of the Supreme Court, and there prosecute or defend, as the case may be, on the part of the State:

(a) All causes to which the State may be a party;

(b) All causes to which any officer of the State, in his or her official capacity, may be a party;

(c) All causes to which any county may be a party, other than those in which the interest of the county may be adverse to the State, or any officer of the State, acting in his or her official capacity, and

after judgment obtained in any such cause, the Attorney General shall direct such proceedings, and sue out such process as may be required to carry the same into execution.

### **NRS 228.170 Commencement or defense of action to protect interest of State; prosecution of prisoners and persons acting in concert with prisoners.**

1. Whenever the Governor directs or when, in the opinion of the Attorney General, to protect and secure the interest of the State it is necessary that a suit be commenced or defended in any federal or state court, the Attorney General shall commence the action or make the defense.

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Litigation is having a party, but they are going to bring down the form in a bit and that should have the rest.