

Proposed Amendment to NAC 232.480

Training and certification of verifiers by Sagebrush Ecosystem Technical Team; maintenance of list of trained and certified verifiers



NAC 232.480 - Current Language

“The Sagebrush Ecosystem Technical Team shall:

1. Train and certify persons to be verifiers; and
2. Maintain a list on the Internet website of the Sagebrush Ecosystem Program of all verifiers who have been so trained and certified for the current calendar year.”

- Current language is vague with respect to verifier training and certification
 - If certification exists, it implies that there is a decertification process, but leaves it open to interpretation
- The proposed amendment to the language will:
 - Clarify specific requirements for receiving and maintaining certification
 - Detail causes for, and outcomes of, disciplinary action

Purpose of Proposed Amendment

Part 1: Clarification of requirements for obtaining verifier certification

- Most of this section has been in-place as long as the program has existed, just not codified
- New addition is that full re-training and testing are required every 5 years
 - This is a constantly evolving and complex program
 - To stay up-to-date and relevant in the program, occasional comprehensive re-training is necessary
 - We have increased the level of detail covered during training

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Part 2: Causes for disciplinary action and the decertification process

- Adds accountability
 - i.e., if no consequences are in-place, why adhere to the process?
 - Most verifiers are ethical and will follow rules on their own, but some may exploit loopholes/technicalities due to lack of a codified disciplinary process
 - Some verifiers may only address issues if there are tangible consequences
- Allows multiple warnings with the opportunity to improve prior to decertification
- Allows for appeals during each step of the process

The Decertification Process

- Will be used to address:
 - Repeated violations that have not been corrected in response to warnings
 - Egregious conduct detailed in # 12 of the proposed language
- Will not be implemented:
 - Without sufficient cause
 - For occasional, minor project mistakes
 - As retaliation for questions, concerns, or constructive criticism (these are always welcome, and how we improve the program)

Intended Outcomes of Proposed Amendment

- Increased integrity of the Sagebrush Ecosystem Program
- Enhanced verifier knowledge, confidence, and efficiency
- Protection of verifiers from partnering with others who may underperform
- Protection of proponents from extraneous consulting fees, project delays, project non-compliance, and potential loss of credits
- Protection of the SEP from verifiers who underperform, misrepresent the program, or substantially increase the workload on its limited staff



Opportunities for Public Feedback

- SEC Meeting public comment periods (July 31 and Sept 26, 2024)
- SEC Verifier Decertification Subcommittee Meetings (August 20 and Sept 24, 2024)
- Small Business Impact Questionnaire – October 2024
- NAC Workshop – October 30, 2024
- Today's Public Hearing – December 13, 2024



Small Business Impact

- **NRS 233B.0382: Small Business** = a business conducted for profit, which employs fewer than 150 full-time or part-time employees.
- We Determined that there are 105 small businesses in Nevada that may be impacted by the regulation change
 - Primarily independent consultants, consulting firms, ranches, and small mining/energy/technology companies
- The SETT sent a questionnaire to all known affected small businesses to solicit feedback on the economic impact of the proposed regulation
- Of the 105 questionnaires sent out, one was returned with answers
 - Only economic concern expressed was cost of attending verifier training in-person

NAC Workshop – October 30, 2024

- Attendees: one in-person, five virtual
- Questions and concerns were heard and taken into account moving forward

Question/Comment/Concern	Response
Concerns about disciplinary action being taken in response to questions, concerns, or constructive criticism about the program.	Not a good place to include a disclaimer in the NAC language, but we will ensure that our program documents clarify disciplinary action will not occur as a result of this.
Suggestion for formalized processes on how comments are received/responded to by CCS Staff.	This process is outlined in the 'Update Protocol & Tools' section of the CCS Manual.
Question about whether a driver's license should be required since GIS verification doesn't involve driving.	We have removed this requirement from the proposed NAC language.
Question about whether we will be reviewing certification requirements for currently certified verifiers.	We clarified that we will not be retroactively reviewing certified verifiers' qualifications.
Statement that GIS didn't exist/GIS training wasn't available when some were in school, but they still hold work experience.	We took this into account. Equivalent work experience will be accepted in place of a degree in GIS for desktop certification.

Questions?

