

U.S. Department of Labor

Employment and Training Administration
200 Constitution Avenue, N.W.
Washington, D.C. 20210



June 7, 2022

The Honorable Steve Sisolak
Governor of Nevada
Capitol Building
101 North Carson Street
Carson City, NV 89701

Dear Governor Sisolak:

Thank you for your waiver request submission to the U.S. Department of Labor (Department) regarding certain statutory and regulatory provisions of the Workforce Innovation and Opportunity Act (WIOA) and the accompanying plan to improve the statewide workforce development system (enclosed). The waiver requests were received March 11, 2022, as part of your recent WIOA State Plan modification. This letter provides the Employment and Training Administration's (ETA) official response to your request and memorializes that Nevada will meet the outcomes and implement the measures identified in its plan to ensure accountability agreed to by Nevada and ETA. This action is taken under the Secretary's authority to waive certain requirements of WIOA Title I, Subtitles A, B, and E, and Sections 8–10 of the Wagner-Peyser Act in WIOA Section 189(i).

Requested Waiver: Waiver of 20 CFR 681.550 to allow WIOA individual training accounts (ITAs) for in-school youth (ISY).

ETA Response: ETA approves, for Program Year (PY) 2022 and 2023, the State's request to waive the requirement limiting ITAs to only out-of-school youth (OSY), ages 16–24. In addition to these OSY, the State may use ITAs for ISY, ages 16–21. ETA reviewed the State's waiver request and plan and has determined that the requirements requested to be waived impede the ability of Nevada to implement its plan to improve the workforce development system. Approval of this waiver should not impede the State's efforts to prioritize OSY, including outreach to the OSY population.

Requested Waiver: The State is requesting a waiver of WIOA Section 134(c)(3)(H)(i) and 20 CFR 680.720(b) in order to increase on-the-job training (OJT) employer reimbursement up to 90 percent for businesses with 50 or fewer employees.

ETA Response: ETA approves the State's waiver request through June 30, 2024, for the WIOA Title I Adult, Dislocated Worker, and Youth formula funds. ETA reviewed the State's waiver request and plan and has determined that the requirements requested to be waived impede the ability of Nevada to implement its plan to improve the workforce development system. Existing statutory authority permits the State and its local workforce areas to increase the reimbursement rate for OJT contracts up to 75 percent. The State may also reimburse up to 90 percent for OJT

for businesses with 50 or fewer employees. ETA expects the utilization of OJT to increase in the State as a result of this waiver.

Requested Waiver: Waiver associated with the requirement at WIOA Section 129(a)(4)(A) and 20 CFR 681.410 that the State and local areas expend 75 percent of Governor's reserve youth funds and local formula youth funds on OSY.

ETA Response: ETA approves for PY 2022 and PY 2023, which includes the entire time period for which states are authorized to spend those funds, the State's request to waive the requirement that the State expend 75 percent of Governor's reserve youth funds on OSY. ETA reviewed the State's waiver request and plan and has determined that the requirements requested to be waived impede the ability of Nevada to implement its plan to improve the workforce development system. Nevada may lower the expenditure requirement of Governor's reserve funds to 50 percent for OSY.

In addition, ETA approves for PY 2022 and PY 2023, which includes the entire time period for which states are authorized to spend those funds, the State's request to waive the requirement that local areas expend 75 percent of local youth formula funds on OSY. Nevada may lower the local youth funds expenditure requirement to 50 percent for OSY. As a result of this waiver, ETA expects that the number of ISY served will increase, and performance accountability outcomes for overall WIOA Youth (including both ISY and OSY) will remain steady or increase for the majority of the WIOA Youth performance indicators.

The State must report its waiver outcomes and implementation of the approved waiver in the WIOA Annual Report. ETA will use this information to assess continued waiver approval and to identify promising practices that may be adopted more widely. ETA is available to provide technical assistance to you in support of your goals. If you have questions, feel free to contact my office at (202) 693-2772.

Sincerely,



Brent Parton
Acting Assistant Secretary

Enclosure

cc: Elisa Cafferata, Director, Nevada Department of Employment, Training and Rehabilitation
Nicholas Lalpui, San Francisco Regional Administrator, ETA
Noel Woods, Federal Project Officer, ETA

Nevada Revised Waiver Requests

90 Day Response Date: June 8, 2022

Waiver #1: Individual Training Accounts (ITA) – WIOA sec. 134; 20 CFR §681.550

Pursuant to the Workforce Innovation and Opportunity Act (WIOA) Title I and Wagner-Peyser Act waiver requirements and request process (WIOA sec. 189(i)(3)(B); 20 CFR §679.620; TEGL 8-18), the Nevada Department of Employment Training and Rehabilitation (DETR), designated state workforce agency for the State of Nevada, requested to waive the requirement limiting individual training accounts (ITAs) to only out-of-school youth (OSY) ages 16-24 pursuant to 20 CFR §681.550, and to allow the use of said training funds for ITAs for in-school youth (ISY) per WIOA sec. 134.

This is a statewide requested waiver to grant ISY the same participant opportunities and accesses that OSY have by allowing local workforce area staff to use ITAs, when appropriate, to provide education and training to ISY and promote training as another option to entry into an increasingly tough labor market. The waiver permits local workforce boards to use Nevada's list of eligible training providers to secure training for ISY who are preparing to graduate and pursue their educational goals in postsecondary training opportunities. The waiver is designed to increase program flexibility and increase choice and access to opportunities based on youth customers' assessed needs in terms of training that leads to employment in high growth industry sectors and occupations. The waiver assists in removing barriers to training opportunities through not requiring local workforce board one-stop operators to register ISY participants who are 18 years or older in the WIOA Adult program, thus mitigating the disruption in training between WIOA Youth program enrollment to WIOA Adult program enrollment. The local workforce boards are required to track performance of ISYs using ITAs. The state requested this waiver for the WIOA Title I 2020 program year (July 1, 2020-June 30, 2021). In April of 2021, the state requested a continuance of this waiver through June 30, 2022.

State strategic goals/US Department of Labor priorities supported by waiver request: The WIOA Final Rule, U.S. Department of Labor (USDOL) indicated that ISY age 18 or older may access ITAs through a WIOA adult program. This creates a gap issue for younger ISY (e.g., 16-18) having the

ability to access ITA-funded education and training programs who are at risk of dropping out of school. Youth caught in this gap are then vulnerable to dropping out of school, leaving the workforce program, and not achieving the education, training and certifications needed to demonstrate requisite skills to employers.

The waiver is designed to increase program flexibility and increase choice and access to opportunities based on youth customers' assessed needs in terms of training that leads to employment in high growth industry sectors and occupations. The waiver removes barriers to training opportunities through not requiring local workforce board one-stop operators to register ISY participants who are 18 years or older in the WIOA Adult program, thus mitigating the disruption in training between WIOA Youth program enrollment to WIOA Adult program enrollment.

Projected programmatic outcomes from waiver: The waiver improves outcomes and provides other tangible benefits for jobseekers and employers as follows:

1. Increase the number of youth that utilize ITAs to gain an industry-recognized credential and/or another postsecondary credential.

a. **Current Performance:** In PY21 through March, there have been 8 ISY youth (2.7% of active ISY) who have received occupational skills training. Nevada projects utilizing this waiver on 10% of active ISY. Based on current active ISY, Nevada would utilize the waiver 25-50 times per program year.

2. Increase in performance accountability measures for youth as found in WIOA sec. 116(b)(2)(A)(ii), thus increasing credential attainment and measurable skills gains.

Current Performance: Based on current year performance indicators for all youth the following outcomes would be expected:

- Increase of quarterly earnings of 29-30% for youth who receive occupational skills training vs. no occupational skills training.
- Increase in 2Q employment of 7% for youth who receive occupational skills training vs. no occupational skills training.
- Increase in 4Q employment of 10% for youth who receive occupational skills training vs. no occupational skills training.
- Increase in credential rates of 14% for youth who receive occupational skills training vs. no occupational skills training.

- Increase in measurable skills gain of 31% for youth who receive occupational skills training vs. no occupational skills training.

Given the small relative sample size of 10-15 ISY youth being served under this waiver annually, Nevada expects:

- Increase of quarterly earnings of 15% for youth who receive occupational skills training vs. no occupational skills training.
- Increase in 2Q employment of 3% for youth who receive occupational skills training vs. no occupational skills training.
- Increase in 4Q employment of 5% for youth who receive occupational skills training vs. no occupational skills training.
- Increase in credential rates of 7% for youth who receive occupational skills training vs. no occupational skills training.
- Increase in measurable skills gain of 15% for youth who receive occupational skills training vs. no occupational skills training.

3. Increase innovative strategies to address student dropouts through dual-enrollment, occupational training, and work-based learning opportunities (e.g., pre-apprenticeship, internships, etc.).

4. Decrease WIOA Youth program dropouts by allowing ISY to remain enrolled as mitigating the program re-enrollment gap.

Long-term benefit to ISY participants: DETR intends that this waiver will result in long-term benefits and gains to ISY by expanding training opportunities that will allow them to increase their career and work readiness, enhance their connections to training programs that align their occupational interests to prepare them for work-based learning and employment. Furthermore, by allowing ISY access to ITAs it enhances the continuity of services for all youth in Nevada by creating gainful and sustainable career pathways, as well as creating a sustainable trained workforce for Nevada employers for the long recovery period.

Procedure for monitoring progress of waiver implementation/collection of outcome information: DETR continues monitoring state and local area performance to assess the effectiveness of this waiver using both state and federal accountability systems to ensure that all negotiated performance measures are met including expenditure percentages, results are accurately reported and will provide necessary technical assistance to the Local Boards, one-stop operators and service providers. DETR's monitoring policy is outlined. [State Compliance Policy 5.7](#).

Assurance of state posting of the request for public comment and notification of affected local workforce development boards: DETR provided public review and comment of this waiver on March 15, 2021, through April 15, 2021. The proposed waiver in compliance with Nevada statutory requirements was reviewed and responses were developed for all comments received. DETR notified all Boards of the waiver submission and sought their input before submitting this request to USDOL ETA.

- Waiver #1 Approved: November 13, 2020 (PY2019)
 - This waiver is approved through **June 30, 2021**.
- Waiver #1 Extension Approved: June 29, 2021 (PY2020)
 - This waiver is approved through **June 30, 2022**.

Waiver #2: On-The-Job Training (OJT) – WIOA sec. 134(c)(3)(H)(i); 20 CFR §680.720(b)

Pursuant to the Workforce Innovation and Opportunity Act (WIOA) Title I and Wagner-Peyser Act waiver requirements and request process (WIOA sec. 189(i)(3)(B); 20 CFR §679.620; TEGL 8-18), the Nevada Department of Employment Training and Rehabilitation (DETR), designated state workforce agency for the State of Nevada, requested a waiver of the requirements of the Workforce Innovation and Opportunity Act (WIOA) Section 134(c)(3)(H)(i) and 20 CFR §680.720(b) in order to increase on-the-job training (OJT) employer reimbursement up to 90 percent for businesses with less than 50 employees. Pursuant to 20 CFR §680.720, employers may be reimbursed up to 50 percent of the wage rate of an OJT participant, and up to 75 percent using the criteria in 20 CFR §680.730, for the extraordinary costs of providing the training and additional supervision related to the OJT.

The approved waiver allows for a sliding scale of OJT training employer reimbursements that range from 50-90 percent, dependent on the number of employees. DETR submitted an extension request for this waiver to extend through June 30, 2022, to allow for a sliding scale for the OJT training employer reimbursements that range from 50-90 percent, dependent on the number of employees.

State strategic goals/US Department of Labor priorities supported by waiver request: DETR's goal is to address and enhance critical business and workforce needs in the state through an incentivized industry sector-based approach to workforce training. On-the-job training is a proven, reliable method to instill work-based training in an effective and efficient way that meets the immediate workforce needs of the state, especially in times of

recovery from natural or other disasters. Employers need a durable and trained workforce, but when one is not readily available, quick, and effective turnaround training is critical for the state's economy.

With the ongoing impacts of COVID-19, the State of Nevada needed the ability of such workforce training activities to provide immediate and effective relief to workforce shortages, especially in Nevada's industry sectors: tourism, gaming, and entertainment; health care and medical services; construction; manufacturing and logistics; and natural resources (e.g., solar). While general academic knowledge is important, learning skills through hands-on training allows for a quick ramp-up of the state's workforce. This waiver allows for employers to meet their immediate and long-term objectives, while providing jobseekers learning opportunities in an actual work environment that leads to a career pathway.

For smaller businesses and employers who do not typically have a large workforce on standby, this waiver allows them opportunities to employ individuals who are dislocated from other employment due to the disaster, while still being able to utilize their limited resources for other critical aspects of business. The waiver provides them the necessary resources for on-the-job training that will enable them to redirect other business resources to critical business needs.

On-the-job training strategies prioritized by the state match the USDOL's priority of work-based learning activities. It connects education and training pedagogies and fulfills the workforce gaps in industry sector-driven demand areas.

Projected programmatic outcomes from waiver: This waiver increases the flexibility for smaller Nevada businesses to redirect their business resources to critical operational areas and increases their labor force by increasing their competitive position for jobs that are typically provided to larger companies and corporations that are able to absorb the cost of a larger workforce. The waiver also builds capacity for small Nevada businesses to draw from the local area's workforce talent, versus having to conduct costly and lengthy national recruitment activities. This waiver scale for on-the-job training reimbursements is:

- 50 or fewer employees: up to 90 percent on-the-job training (OJT) employer reimbursement.

- Although OJT utilization has increased, local area goals have not been met due to reduced business volumes associated with social distancing and stay-at-home orders as a result of the COVID-19 Pandemic.

Current Performance: During the period July 2020 through March 2022, Nevada has utilized the 90% waiver 53 times and obligated \$288,000 with a successful completion rate of 78.6%. The average wage for these OJTs is \$14.97. The top 5 occupations were: Helpers, Electricians; Cooks, all other; Billing and Posting Clerks; Loan Interviewers and Clerks; Police, Fire and Ambulance Dispatchers. In addition, the local areas have used the 75% rule to provide an additional 67 OJTs and obligated \$280,000 with a successful completion rate of 64.5%. Average wage for these OJTs has been \$14.49. Nevada projects the following outcomes associated with the 90% waiver:

- Annual utilization: 35
- Successful completion rate: 80%
- Average wage: \$15.00

Individuals, groups, or populations impacted by the proposed waiver: DETR's intent for this waiver aids with the large number of jobseekers who have been dislocated by the COVID-19 economic disaster. This waiver benefits many Nevada employers who are in critical need for an immediate workforce to address the significant demands placed on those specific industry sectors because of the COVID-19 Pandemic. Lastly, this waiver benefits the state's economic condition, which has been devastatingly impacted as a direct result of COVID-19.

Long-term benefit to OJT participants: This waiver results in long-term benefits and gains to jobseekers by creating gainful and sustainable career pathways, as well as creating a sustainable trained workforce for Nevada employers for the long recovery period.

Procedure for monitoring progress of waiver implementation/collection of outcome information: DETR continues monitoring state and local area performance to assess the effectiveness of this waiver using both state and federal accountability systems to ensure that all negotiated performance measures are met including expenditure percentages, results are accurately reported and will provide necessary technical assistance to the Local Boards, one-stop operators and service providers. DETR's monitoring policy is outlined [State Compliance Policy 5.7](#).

Assurance of state posting of the request for public comment and notification of affected local workforce development boards: DETR provided public review and comment of this waiver on March 15, 2021, through April 15, 2021. The proposed waiver in compliance with Nevada statutory requirements was reviewed and responses were developed for all comments received. DETR notified all Boards of the waiver submission and sought their input before submitting this request to USDOL ETA.

- Waiver #2 Approved: November 13, 2020 (PY2020)
 - This waiver is approved through **June 30, 2021**.
- Waiver #2 Extension Approved: June 29, 2021 (PY2020)
 - This waiver is approved through **June 30, 2022**.

Waiver #3: Out of School Youth (OSY) – WIOA sec. 129(a)(4); 20 CFR §681.410

The Nevada Department of Employment Training and Rehabilitation (DETR) requested a waiver of the requirements of the Workforce Innovation and Opportunity Act (WIOA) Section 129 (a)(4) and 20 CFR 681.410 that mandate a minimum of 75 percent of youth funds be used to serve out of school youth (OSY). DETR requested a waiver to allow Nevada the flexibility to reduce the OSY funding requirement to a minimum of 50 percent.

State strategic goals/US Department of Labor priorities supported by waiver request: This waiver supports the DOL policy priorities of:

- Secondary and post-secondary educational obtainment,
- Increase youth access to educational, training, employment, and support services for at-risk in school Youth (ISY) as needed,
- Support the development of career pathways that align with in-demand career areas identified by Department of Labor and the Nevada's Office of Workforce Innovation (OWINN).

Nevada determined that the local areas benefit from the OSY waiver because:

- ISY programs produce higher quality educational outcomes at a greater rate.
- Increased educational outcomes are strongly correlated to long term earnings and employment outcomes.

Nevada has frequently the highest drop-out rates in the nation. For 2017/18, Nevada recorded a statewide drop-out rate for 9th through 12th grade

students of 3.1 percent followed by 2.7 percent for 2018/19, for the Clark County School District which is the fifth largest in the nation; the respective rates were 3.4 and 3.0 percent. Addressing the challenges which at-risk ISY face, reduce the dropout rate thereby reducing the number of OSY in need of WIOA services. Engagement of additional ISY through the increased availability of WIOA funding provides them with additional education and training resources enabling them to both enter career oriented economically self-sufficient work and pursue additional post-secondary opportunities. Specific services that can be provided through WIOA include on the job training (OJT) and work experience (WEX) opportunities which should decrease the number of youths dropping out or otherwise failing to obtain a secondary credential. These activities also allow participants to gain the hard and soft work skills necessary for successful integration into the workplace.

While the state and local districts have made significant progress addressing the drop-out rate, this situation is an area of continued concern for education administrators and elected officials at both levels. Businesses, the State Board working through the Governor's Office of Workforce Innovation (OWINN) and other workforce system participants also recognize the issue as negatively impacting efforts to develop the labor force necessary to grow and diversify the state economy. Local and state agencies are attempting to address the problem but are often limited in scope and program design and additional resources provided through increased ISY funding will augment and improve their results. County school districts have developed local programs to help alleviate the situation. The Governor's Office provides significant support to the Jobs for Nevada's Graduates (J4NVG) program including the use of Governor's reserve (WIOA) funds, and the State Department of Education has developed ongoing programs and initiatives addressing issues including distance learning, homelessness, and competency-based learning intended to increase the number of students obtaining secondary credentials.

Nevada has been successful with exceeding OSY expenditure requirements. With the implementation of WIOA, the local Boards have worked diligently to transition the system from ISY dominant to OSY dominant. Several factors have contributed to continued low ISY expenditure rates:

- The original strategy for implementation of WIOA was containment of ISY expenditures.
- Procurements have been primarily designed around serving OSY.
- Shift of expenditures to OSY has limited system capacity to work with and recruit ISY in the schools.

- Continued social distancing and stay-at-home orders have negatively impacted the state's ability to increase ISY expenditures over the past year.

This waiver provides additional tools to both state and local, public, and private, service providers and administrators to address Nevada's situation. The reduction allows the local areas to continue serving the OSY population while also increasing the ability to meet the needs of ISY in alignment with WIOA's intent by supporting career pathways and the preparation of young people for in-demand careers in the workforce, regardless of a youth's school status. DETR recognizes the need to continue to prioritize service to OSY and pursues strategies including youth and adult co-enrollment, seek to partnerships with other agencies including adult education, and remains in compliance with all programs and reporting requirements.

The State of Nevada and the Local Boards (Nevadaworks that serves northern Nevada, and Workforce Connections that serves the southern four counties of the state) also recognize their continued responsibility to address the needs of OSY. The state monitors the Local Boards to ensure compliance with the modified funding apportionment, to provide effective, quality service to both ISY and OSY participants, and ensures all other statutory and regulatory requirements are met by the Local Boards, one-stop operators, and client service providers.

Projected programmatic outcomes from waiver: This waiver extension permitted the Local Boards the opportunity to determine how best to meet the educational and training needs of youth, regardless of school status, and specific to the population, geographical location, and the economic and employment conditions of each workforce area. Nevada is a majority/minority state, both Boards are responsible for serving urban and rural populations, both have areas of extreme poverty and significant English language learner populations. This waiver allows Nevada to efficiently target all at-risk youth, meet the revised expenditure targets and negotiated performance measures for this client population. Nevada expects to shift \$2.3 million from OSY expenditures to ISY expenditures to enroll 300 additional ISY because of the waiver. As a result, Nevada expects the following outcomes associated with WIOA:

WIOA School Status at Exit	ISY	OSY	Inc/(Dec)
Dropouts	75	(164)	(89)
Diploma / GED	225	(86)	139
Entered Post-Secondary	62	(3)	59

Current Performance: Actual results were as follows for youth exited January 2020 through December 2021:

Enrollments July 2020 through March 2022			
Population	PY20	PY21	Grand Total
ISY	169	95	264
OSY	579	423	1,002
Grand Total	748	518	1,266

WIOA Status at Exit	ISY	OSY	Total
In-School, Secondary or Less	117	96	213
Secondary Drop-out	6	95	101
Diploma or GED	20	52	72
In-School, Post-Secondary	10	1	11
Grand Total	153	244	397

Exits January 2020 through December 2021				
Population	Persistence Rate	Graduation Rate	Post-Secondary Rate	Drop-Out Rate
ISY	23.5%	55.6%	27.8%	16.7%
OSY (Drop-out Recovery)	60.7%	35.1%	0.7%	64.2%
Exits PY17 and PY18				
Population	Persistence Rate	Graduation Rate	Post-Secondary Rate	Drop-Out Rate
ISY	53.1%	56.4%	25.6%	17.9%
OSY (Drop-out Recovery)	50.3%	45.0%	1.7%	53.2%

Enrollments for the period July 2020 through March 2022 reflect a 21% ISY vs. OSY split. Enrollment efforts for ISY were negatively impacted by school closures, distance learning and social distancing.

When examining the results, ISY drop-out rates decreased slightly to 16.7% from 17.9%, while the number of youth who continued on to Post-Secondary increased to 27.8% from 25.6%. Persistence rates, the number of youth who stay engaged until an educational outcome can be achieved, decreased to 23.5% from 53.1%. The persistence rates were heavily impacted by school closures, distance learning and social distancing across the pandemic.

In contrast, OSY drop-out rates increase to 64.2% from 53.2%, while the number of youth who continued on to Post-Secondary decreased to .7% from 1.7%. Persistence rates, the number of youth who stay engaged until an educational outcome can be achieved, increased to 60.7% from 50.3%.

Nevada believes that, although ISY educational outcomes were problematic during the pandemic, there still exists a significant benefit to serving ISY youth at a higher level. As stated earlier, ISY youth perform significantly better than OSY with respect to diploma rates and entering post-secondary education. Historically, individuals with high school diplomas (as compared to a high school equivalency) earn more and progress to higher levels of education.

Individuals, groups or populations impacted by the proposed waiver: DETR intends for this waiver to benefit the large number of at-risk ISY in Nevada. It will reduce barriers to education, training, and employment and

will continue to serve OSY as a priority population as required by WIOA. Nevada expects to enroll 250 fewer OSY because of the proposed waiver.

Long term benefit to ISY participants: Based on Census data, noted above, long term educational achievement outcomes not measured by WIOA are projected to be as follows:

Highest Educational Level Achieved Inc/(Dec)	ISY	OSY
Diploma / GED 139	225	(86)
Some College 57	89	(32)
Bachelor's or higher 71	75	(4)

Median Monthly Earnings

Diploma / GED \$475,081	\$724,950	(\$249,869)
Some College (\$103,724)	\$338,045	
	\$234,321	
Bachelor's or higher \$451,068	\$470,984	(\$19,916)

Procedure for monitoring progress of waiver implementation/collection of outcome information: DETR continues monitoring state and local area performance to assess the effectiveness of this waiver using both state and federal accountability systems to ensure that all negotiated performance measures are met including expenditure percentages, results are accurately reported and will provide necessary technical assistance to the Local Boards, one-stop operators and service providers. DETR's monitoring policy is outlined [State Compliance Policy 5.7](#).

Assurance of state posting of the request for public comment and notification of affected local workforce development boards: DETR provided public review and comment of this waiver on March 15, 2021, through April 15, 2021. The proposed waiver in compliance with Nevada statutory requirements was reviewed and responses were developed for all comments received. DETR notified all Boards of the waiver submission and sought their input before submitting this request to USDOL ETA.

- Approved: June 20, 2020 (PY2019)
 - This waiver is approved for **Program Years (PYs) 2019 and 2020**
- Approved: June 29, 2021 (PY2020)
 - The waiver is approved for **Program Year (PY) 2021** which includes the entire time for which the State is authorized to spend PY 2021 funds.

The following applies to all current waivers

Actions for the removal of state or local statutory or regulatory barriers: There are no State of Nevada or local statutory or regulatory barriers to implementation. DETR compliance policies meet current federal program requirements.