

**PROPOSED REGULATION OF THE
DIVISION OF STATE LANDS OF THE STATE DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES**

LCB FILE NO. R141-23I

**The following document is the initial draft regulation proposed
by the agency submitted on 12/19/2023**

**PROPOSED ADMINISTRATIVE REGULATION OF
THE NEVADA DIVISION OF STATE LANDS**

Agency Draft

December 19,

2023

~~**{DEVELOPMENT IN FORT MOHAVE VALLEY}**~~

~~**Section 1. [NAC 321.100 Definitions. (NRS 538.201; § 5 of ch. 427, Stats. 2007, as amended by § 9 of ch. 369, Stats. 2009) As used in NAC 321.100 to 321.230, inclusive, unless the context otherwise requires, the words and terms defined in NAC 321.120 to 321.160, inclusive, have the meanings ascribed to them in those sections.]**~~

~~**Sec. 2. [NAC 321.120 “Board” defined. (NRS 538.201; § 5 of ch. 427, Stats. 2007, as amended by § 9 of ch. 369, Stats. 2009) “Board” means the Board of County Commissioners of Clark County.]**~~

~~**Sec. 3. [NAC 321.130 “Commission” defined. (NRS 538.201; § 5 of ch. 427, Stats. 2007, as amended by § 9 of ch. 369, Stats. 2009) “Commission” means the Colorado River Commission of Nevada.]**~~

~~**Sec. 4. [NAC 321.140 “Executive Director” defined. (NRS 538.201; § 5 of ch. 427, Stats. 2007, as amended by § 9 of ch. 369, Stats. 2009) “Executive Director” means the Executive Director of the Commission.]**~~

~~**Sec. 5. [NAC 321.160 “Fort Mohave Valley” defined. (NRS 538.201; § 5 of ch. 427, Stats. 2007, as amended by § 9 of ch. 369, Stats. 2009) “Fort Mohave Valley” means that land described in section 4 of chapter 427, Statutes of Nevada 2007, as amended by section 9 of chapter 369, Statutes of Nevada 2009, and section 8 of chapter 427, Statutes of Nevada 2007, as amended by section 9 of chapter 369, Statutes of Nevada 2009.]**~~

~~**Sec. 6. [NAC 321.170 Development and disposal of lands; reservation of lands for recreational facilities. (NRS 538.201; § 5 of ch. 427, Stats. 2007, as amended by § 9 of ch. 369, Stats. 2009) The Commission will, subject to the requirements of section 5 of chapter 427, Statutes of Nevada 2007, as amended by section 9 of chapter 369, Statutes of Nevada 2009, and**~~

section 9 of chapter 427, Statutes of Nevada 2007, as last amended by section 2 of chapter 481, Statutes of Nevada 2011:

- ~~— 1. Provide for the development and disposal of lands within Fort Mohave Valley in such increments as are needed to further orderly planning and development in the valley.~~
- ~~— 2. Consider the reservation of lands within Fort Mohave Valley for parks, beaches, playgrounds and any other public recreational facility as recommended by interested governmental agencies.~~
- ~~— 3. Dispose of lands within Fort Mohave Valley, except reserved lands, through sale or other methods of disposal to qualified developers and, if appropriate, public agencies.~~
- ~~— 4. Provide for the development and disposal of lands within Fort Mohave Valley pursuant to the provisions of NAC 321.100 to 321.230, inclusive.]~~

Sec. 7. ~~[NAC 321.180 Executive Director to report certain proposals for development; availability of plan. (NRS 538.201; § 5 of ch. 427, Stats. 2007, as amended by § 9 of ch. 369, Stats. 2009)~~

- ~~— 1. The Executive Director shall report to the Commission any written proposal for development in Fort Mohave Valley which is consistent with:
 - ~~— (a) The current plan of development approved by the Secretary of the Interior;~~
 - ~~— (b) A master plan adopted pursuant to chapter 278 of NRS by the governing body whose territory contains the land described for development or disposal, or the proposed development or disposal constitutes an acceptable revision to the master plan; and~~
 - ~~— (c) The plans and projects of any special district whose territory contains the land described for development or disposal.~~~~
- ~~— 2. A copy of the plan of development described in paragraph (a) of subsection 1 may be:
 - ~~— (a) Obtained from the Commission upon written request to:~~~~

~~Executive Director
Colorado River Commission of Nevada
555 East Washington Avenue, Suite
3100 Las Vegas, Nevada 89101-1048~~

- ~~— (b) Inspected or obtained at the Commission's office during business hours at 555 East Washington Avenue, Suite 3100, Las Vegas, Nevada.~~
- ~~→ The Executive Director shall charge a fee to cover the cost of reproduction of the plan.]~~

Sec. 8. ~~[NAC 321.190 Approval of development; solicitation for proposals for development. (NRS 538.201; § 5 of ch. 427, Stats. 2007, as amended by § 9 of ch. 369, Stats. 2009)~~

- ~~— 1. The Commission will not approve any development in or disposal of Fort Mohave Valley:
 - ~~— (a) Until it has consulted with the Board and the Laughlin Town Advisory Board.~~
 - ~~— (b) Unless the person proposing the development or disposal first obtains the concurrence of the governing body whose territory contains the land described for development or disposal that the proposed development or disposal is consistent with the plans and projects described~~~~

in subsection 1 of NAC 321.180.

~~— 2. When the Commission decides that it is appropriate to provide for a particular type of development in a specific portion of Fort Mohave Valley, it will, by resolution, order the Executive Director to solicit proposals for the development. The materials for the solicitation must contain:~~

- ~~— (a) A description of the type of development;~~
- ~~— (b) A description of the specific area to be developed;~~
- ~~— (c) Citations to applicable law and regulations;~~
- ~~— (d) An application form; and~~
- ~~— (e) Any other information the Commission or the Executive Director considers appropriate.]~~

Sec 9. ~~[NAC 321.200—Publication and distribution of notice soliciting proposals for development. (NRS 538.201; § 5 of ch. 427, Stats. 2007, as amended by § 9 of ch. 369, Stats. 2009)]~~—The Executive Director shall:

- ~~— 1. Publish a notice soliciting proposals as directed by the Commission in its resolution; and~~
- ~~— 2. Send the notice directly to any person who has submitted a proposal to the Commission for a similar type of development within 1 year before the date of the resolution.]~~

Sec. 10. ~~[NAC 321.210—Information required on application for proposals for development. (NRS 538.201; § 5 of ch. 427, Stats. 2007, as amended by § 9 of ch. 369, Stats. 2009)]~~—The application for proposals must request the following information:

- ~~— 1. A statement describing the organization of the person submitting the proposal and identifying any principals or officers of the organization.~~
- ~~— 2. A statement describing the financial condition, sources of financing and projections of cash flow of the person submitting the proposal.~~
- ~~— 3. Financial statements of any officers, principals and major stockholders of the person submitting the proposal.~~
- ~~— 4. A statement describing the experience of those persons responsible for developing the project.~~
- ~~— 5. A summary of the experience of the person submitting the proposal in developing and managing similar projects.~~
- ~~— 6. The proposed plan for development.~~
- ~~— 7. A map of the area showing the proposed development.~~
- ~~— 8. The amount offered for the land to be developed.~~
- ~~— 9. Any other information the Commission specifies in the resolution or the Executive Director considers appropriate to provide a clear understanding of the proposal, verification of the information contained in the proposal and application and evidence of the feasibility of the proposal and financial capability and integrity of the person submitting the proposal.]~~

Sec. 11. ~~[NAC 321.220—Proposals for development which will not be considered; submission of additional information. (NRS 538.201; § 5 of ch. 427, Stats. 2007, as amended by § 9 of ch. 369, Stats. 2009)]~~

- ~~— 1. The Commission will not consider any proposal for development in Fort Mohave Valley unless it is submitted in response to a solicitation for proposals.~~
- ~~— 2. The Commission will not consider a proposal if it does not contain the information required on the application. The proposal may contain any other information the person submitting the proposal wishes to provide.]~~

Sec. 12. ~~[NAC 321.230 Procedure for consideration of proposals for development; action by Commission. (NRS 538.201; § 5 of ch. 427, Stats. 2007, as amended by § 9 of ch. 369, Stats. 2009)~~

- ~~—1. The Executive Director shall forward a copy of each properly submitted proposal within 10 days after receiving it to the Board and the Laughlin Town Advisory Board.~~
- ~~—2. The Executive Director may arrange for an oral presentation by each person submitting a proposal before the entity to which a proposal was forwarded.~~
- ~~—3. Within 15 days after a proposal is forwarded, the Executive Director shall submit a copy of the proposal to each Commissioner and, as directed by the Chair of the Commission, arrange for an oral presentation before the Commission by the person submitting the proposal.~~
- ~~—4. The Commission will do one of the following:~~
 - ~~—(a) Reject the proposal.~~
 - ~~—(b) Select a proposal for further consideration.~~
 - ~~—(c) Accept a proposal pursuant to any terms and conditions the Commission considers appropriate.]~~