

**LCB File No. R219-99**

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**NOTICE OF INTENT TO ACT UPON A REGULATION**

**Notice of Workshop and Hearing  
for the Amendment and Repeal of Certain Regulations  
of the Colorado River Commission**

The Colorado River Commission will hold a workshop and a public hearing:

**March 14, 2000  
10 a.m.  
Sawyer State Office Building  
555 East Washington Avenue, Suite 4401  
Las Vegas, Nevada**

The purpose of the workshop and hearing is to solicit and hear comments from interested persons regarding the Colorado River Commission's proposed regulation amending and repealing certain provisions of NAC 321.100 to 321.230, inclusive. If no such person appears to request time to make an oral presentation, the Colorado River Commission ("CRC") may proceed immediately to act upon any written submissions.

The following information is provided pursuant to the requirements of NRS 233B.0603:

**1. The need for and the purpose of the proposed regulation.**

NAC 321.100 to 321.230, inclusive, govern the acquisition, development and disposal of certain federal land in the Eldorado Valley and the Fort Mohave Valley by the CRC pursuant to the Eldorado Valley Development Law (former NRS 321.390 to 321.470, inclusive) and the Fort Mohave Valley Development Law (NRS 321.480 to 321.536). With the purchase and disposal of the land in Eldorado Valley and the subsequent repeal of the Eldorado Valley Development Law, certain provisions of NAC 321.100 to 321.230, inclusive, became obsolete. The purpose of the proposed regulation is to remove these obsolete provisions.

**2. The terms of the proposed regulation.**

Explanation – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1 and 8, NRS 538.201; §§2-7, NRS 321.510 and 538.201.

**Section 1.** NAC 321.100 is hereby amended to read as follows:

321.100 As used in NAC 321.100 to 321.230, inclusive, unless the context otherwise requires, the words and terms defined in NAC ~~[321.110]~~ **321.120** to 321.160, inclusive, have the meanings ascribed to them in those sections.

**Sec. 2.** NAC 321.170 is hereby amended to read as follows:

321.170 The commission will, subject to the requirements of NRS 321.510 and 321.536:

1. ~~[Acquire Eldorado Valley and Fort Mohave Valley at the adjusted appraised value established pursuant to federal law and on such terms and conditions as may be placed on any transfer of title by the Federal Government.~~

~~2.]~~ Provide for the development and disposal of lands within ~~[the valleys]~~ **Fort Mohave Valley** in such increments as are needed to further orderly planning and development in the ~~[valleys.~~

~~3.]~~ **valley.**

2. Consider the reservation of lands within ~~[the valleys]~~ **Fort Mohave Valley** for parks, beaches, playgrounds and any other public recreational facility as recommended by interested governmental agencies.

~~[4.]~~ 3. Dispose of lands within ~~[the valleys,]~~ **Fort Mohave Valley**, except reserved lands, through sale or other methods of disposal to qualified developers and, if appropriate, public agencies.

~~[5.]~~ 4. Provide for the development and disposal of lands within ~~[Eldorado Valley and]~~ Fort Mohave Valley pursuant to the provisions of NAC 321.180 to 321.230, inclusive.

**Sec. 3.** NAC 321.180 is hereby amended to read as follows:

321.180 1. The director shall report to the commission any written proposal for development in ~~[Eldorado Valley or]~~ 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: Director, Colorado River Commission, ~~[Mailroom Complex,]~~ *555 East Washington Avenue, Suite 3100*, Las Vegas, Nevada ~~[89158.]~~ *89101-1048*.

(b) Inspected or obtained at the commission's office during business hours at ~~[1515 East Tropicana Avenue, Suite 400,]~~ *555 East Washington Avenue, Suite 3100*, Las Vegas, Nevada.

The director shall charge a fee to cover the cost of reproduction of the plan.

**Sec. 4.** NAC 321.190 is hereby amended to read as follows:

321.190 1. The commission will not approve any development in or disposal of ~~[Eldorado Valley or]~~ Fort Mohave Valley:

(a) Until it has consulted ~~†~~:

~~(1) In the case of the Eldorado Valley, with the advisory group and the board.~~

~~(2) In the case of the Fort Mohave Valley,]~~ 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 ~~[either valley,]~~ *Fort Mohave Valley*, it will, by resolution, order the 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) [In the case of the Eldorado Valley, a statement of the right of the board to comment on a proposal or to make an offer to purchase the land; and~~

~~(†)]~~ Any other information the commission or the director considers appropriate.

**Sec. 5.** NAC 321.200 is hereby amended to read as follows:

321.200 ~~{1.}~~ The director shall:

~~{(a)}~~ **1.** Publish a notice soliciting proposals as directed by the commission in its resolution; and

~~{(b)}~~ **2.** Send the notice directly to ~~{~~

~~(1) The board, if the development involves the Eldorado Valley; and~~

~~(2) Any~~ **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.

~~{2. If the development involves the Eldorado Valley, the director shall send a copy of the notice to the board at least 5 days before publishing the notice.}~~

**Sec. 6.** NAC 321.220 is hereby amended to read as follows:

321.220 1. ~~{Except for a proposal made by the board pursuant to subsection 3 of NRS 321.450, the}~~ **The** commission will not consider any proposal for development in ~~{the Eldorado Valley or}~~ 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. 7.** NAC 321.230 is hereby amended to read as follows:

321.230 1. The director shall forward a copy of each properly submitted proposal within 10 days after receiving it to ~~{~~

~~(a) The advisory group, if the development involves the Eldorado Valley;~~

~~(b) The Laughlin town advisory board, if the development involves Fort Mohave Valley; and~~

~~(c) The board, unless the proposal was submitted by}~~ the **board and the Laughlin town advisory** board.

2. The 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 director shall submit a copy of the proposal to each commissioner and, as directed by the chairman 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.

~~{5. The acceptance of a proposal involving the sale or other disposal of land in the Eldorado Valley is conditioned upon the approval of the legislative commission.}~~

**Sec. 8.** NAC 321.110 and 321.150 are hereby repealed.

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**TEXT OF REPEALED SECTIONS**

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**321.110 “Advisory group” defined.** “Advisory group” means the Eldorado Valley advisory group.

**321.150 “Eldorado Valley” defined.** “Eldorado Valley” means that land described in NRS 321.410.

**3. The estimated economic effect of the proposed regulation on the business which it is to regulate and on the public.**

The proposed regulation has no economic effects—whether adverse or beneficial or immediate or long-term—on any business. Similarly, the proposed regulation has no economic effects on the public.

**4. The estimated cost to the agency for enforcement of the proposed regulation.**

None.

**5. A description of, and citation to, any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates.**

Not applicable.

**6. If the regulation is required pursuant to federal law, a citation or description of the federal law.**

Not applicable.

**7. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

Not applicable.

**8. Impact on small businesses.**

The amendments and repeals comprising the proposed regulation are not likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business.

**9. Impact on fees.**

The proposed regulation does not establish a new fee or increase an existing fee.

Persons wishing to comment upon the proposed action of the Colorado River Commission may appear at the scheduled workshop and public hearing or may address their comments, data, views or arguments, in written form, to Mr. George M. Caan, Executive Director, Colorado River Commission, 555 East Washington Avenue, Suite 3100, Las Vegas, Nevada 89101-1048. Written submissions must be received by the Colorado River Commission on or before March 3, 2000.

A copy of this notice and the proposed regulation will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, and the Laughlin Public Library, 2840 S. Needles Highway, Laughlin, Nevada 89028, for inspection by members of the public during business hours. Additional copies of the notice and the regulation will be available at the offices of the Colorado River Commission, 555 East Washington Avenue, Las Vegas, Nevada 89101-1048, and at the main public libraries in all counties, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies will also be available at the workshop and will mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

As required by NRS 233B.0603(1)(c), the following is an exact copy of the provisions of subsection 2 of NRS 233B.064: "Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption."

The location of the workshop and hearing is accessible to the handicapped. If a sign language interpreter is needed, please telephone 486-2670 or TDD 486-2698 prior to the meeting.

**THIS NOTICE OF WORKSHOP AND HEARING HAS BEEN SENT TO ALL PERSONS ON THE COMMISSION'S MAILING LIST FOR NOTICES OF MEETINGS AND HAS BEEN POSTED AT THE FOLLOWING LOCATIONS:**

City of Las Vegas City Hall, 400 East Stewart Avenue, Las Vegas, NV 89101  
City of North Las Vegas City Hall, 2200 Civic Center Drive, North Las Vegas, NV 89030  
Clark County Government Center, 500 South Grand Central Parkway, Las Vegas, NV 89155  
State of Nevada Sawyer Building, 555 East Washington Avenue, Las Vegas, NV 89101

**THIS NOTICE OF WORKSHOP AND HEARING HAS BEEN FAXED AND POSTING VERIFIED AT THE FOLLOWING LOCATIONS:**

City of Boulder City Hall, 401 California Avenue, Boulder City, NV 89005  
City of Henderson City Hall, 240 Water Street, Henderson, NV 89015  
Laughlin Chamber of Commerce, 1725 Casino Drive, Laughlin, NV 89029  
Laughlin Public Library, 2840 S. Needles Highway, Laughlin, NV 89028  
Laughlin Town Manager's Office, 101 Civic Way, Laughlin, NV 89029