

SENATE BILL NO. 267—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF SOUTHERN NEVADA REGIONAL PLANNING COALITION)

MARCH 1, 2001

Referred to Committee on Natural Resources

SUMMARY—Makes various changes regarding flood control and local drainage.
(BDR 48-1117)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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

AN ACT relating to the control of floods; authorizing the board of directors of a district for the control of floods to expend or provide money to protect public and private property from flooding; authorizing such a board to expend or provide money for the acquisition of certain local projects and improvements for the control of drainage; requiring that flood control facilities constructed by state agencies be constructed in compliance with the applicable master plan for control of floods; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 543.360 is hereby amended to read as follows:
2 543.360 The board may:
3 1. By the affirmative vote of two-thirds of the members voting on the
4 matter, acquire, construct, improve, extend, maintain and operate:
5 (a) Projects and improvements for the control of flood and storm waters
6 of the district and the flood and storm waters of streams which have their
7 sources outside of the district but flow into the district. ~~{Such}~~ ***Except as***
8 ***otherwise provided in paragraph (c) of subsection 6, such*** a project or
9 improvement must not be acquired unless it is included in the master plan.
10 (b) Projects which mitigate the adverse effect of the acquired projects.
11 (c) Projects which are required as a result of the proposed alteration or
12 diversion of a natural watercourse identified in the master plan for the
13 control of drainage.
14 A project or improvement must not be acquired unless it is first approved
15 by an agreement among the board, each county in whose unincorporated
16 area any part of the project or improvement is located and each city in
17 which any part of the project or improvement is located. The agreement



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1 must contain an estimate of the cost of the project or improvement and
2 show its relation to the master plan.

3 2. Conserve such waters for beneficial and useful purposes by
4 spreading, storing, retaining and causing them to percolate into the soil
5 within or without the district.

6 3. Save and conserve in any manner all or any of such waters and
7 protect from floods or storm waters the watercourses, watersheds, public
8 highways, life and property in the district.

9 4. Prevent waste of water or diminution of the water supply in, or the
10 exportation of water from, the district.

11 5. Obtain, retain and reclaim drainage, storm, flood and other waters
12 for beneficial use of the district.

13 6. *Expend or provide money:*

14 (a) *To make public property or private property, or both, impervious*
15 *or resistant to damage from floods.*

16 (b) *To relocate public or private structures, or both, which are located*
17 *in an area that is susceptible to flooding.*

18 (c) *For the acquisition of a local project or improvement for the*
19 *control of drainage which is not included in the master plan if the board*
20 *determines that such a local project or improvement is a necessary*
21 *appurtenance to collect and deliver flows to allow a project or*
22 *improvement that is included in the master plan to function in the*
23 *manner intended.*

24 **Sec. 2.** NRS 543.547 is hereby amended to read as follows:

25 543.547 ~~1-1~~ Flood control facilities constructed by local
26 governments *and state agencies* must be constructed in compliance with
27 the master plan. Local governments *and state agencies* may request an
28 amendment to the master plan pursuant to NRS 543.597.

29 ~~{2. State agencies shall consider the master plan when planning and~~
30 ~~designing their flood control facilities. Whenever practicable, state~~
31 ~~agencies shall comply with the master plan.}~~

32 **Sec. 3.** 1. This section and section 1 of this act become effective
33 upon passage and approval.

34 2. Section 2 of this act becomes effective on October 1, 2001.

