

SENATE BILL NO. 376—SENATOR HARDY

MARCH 19, 2007

Referred to Committee on Natural Resources

SUMMARY—Requires the Division of State Parks of the State Department of Conservation and Natural Resources to prepare a comprehensive outdoor recreation plan for a certain designated area. (BDR S-1009)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: Contains Appropriation not included in Executive Budget.

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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 land; requiring the Division of State Parks of the State Department of Conservation and Natural Resources to prepare a plan for the recreational use of land within a certain area designated by the Division; authorizing the Division to carry out the provisions of the plan under certain circumstances; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the Division of State Parks of the State Department of Conservation and Natural Resources is required to prepare and maintain a comprehensive statewide outdoor recreation plan. The plan must include an evaluation of the demand for and supply of outdoor recreation resources and facilities in Nevada and a program for carrying out the plan. (NRS 407.205)

Section 5 of this bill requires the Division to prepare an additional plan which is a comprehensive outdoor recreation plan. The plan is not statewide, but applicable only to a certain area of Clark County, Nevada, designated by the Division. The plan must include all relevant provisions of the comprehensive statewide outdoor recreation plan prepared by the Division and also an analysis of any plans and activities of federal, state or local governmental agencies in the area designated by the Division. In addition, **section 5** authorizes the Division to cooperate with all interested persons in preparing the comprehensive outdoor recreation plan and requires the Division to submit a written report concerning its activities to the next regular session of the Legislature.



* S B 3 7 6 R 1 *

16 **Section 6** of this bill appropriates \$250,000 to the Division to carry out the
17 provisions of the bill.

1 WHEREAS, Providing access to a wide range of recreational
2 opportunities is an important activity of federal, state and local
3 governmental entities; and

4 WHEREAS, Funding for recreational opportunities in this State is
5 available from several sources, including, without limitation, the
6 Southern Nevada Public Land Management Act of 1998, Public
7 Law 105-263, and qualifying to receive any such funding is
8 essential for improving recreational opportunities in this State; and

9 WHEREAS, The Division of State Parks of the State Department
10 of Conservation and Natural Resources is required to prepare and
11 maintain a comprehensive statewide outdoor recreation plan to
12 qualify to receive funding for certain outdoor recreation projects
13 from the Federal Government; and

14 WHEREAS, The planning for and development of recreational
15 opportunities in this State, including, without limitation, the
16 development of trails for off-highway vehicles, hiking trails, bike
17 paths, campgrounds and facilities for camping and conservation
18 efforts, involve the use of public and private land, thereby requiring
19 coordination of activities and cooperation among federal, state and
20 local governmental entities, nonprofit organizations and other
21 entities; and

22 WHEREAS, Such coordination and cooperation is often essential
23 to ensure compliance with environmental laws such as the National
24 Environmental Policy Act, 42 U.S.C. §§ 4321 et seq.; now,
25 therefore,

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

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30 **Section 1.** (Deleted by amendment.)

31 **Sec. 2.** (Deleted by amendment.)

32 **Sec. 3.** (Deleted by amendment.)

33 **Sec. 4.** (Deleted by amendment.)

34 **Sec. 5.** 1. The Division of State Parks of the State
35 Department of Conservation and Natural Resources shall prepare a
36 comprehensive outdoor recreation plan. The Division shall
37 designate an area located within the northeast portion of Clark
38 County, Nevada, as the applicable area for the plan. The area for the
39 plan may include any portion of Lincoln County, Nevada, that is
40 contiguous to that portion of Clark County, Nevada. The plan must
41 include, without limitation:



* S B 3 7 6 R 1 *

(a) All provisions of the comprehensive statewide outdoor recreation plan prepared and maintained by the Division pursuant to NRS 407.205 that are applicable or related to the designated area for the comprehensive outdoor recreation plan required pursuant to this section;

(b) A specific review, compilation and suggested revision, if any, of any existing outdoor recreation plan that is prepared for or is applicable to the designated area for the plan required pursuant to this section and any inventories of outdoor recreational facilities and existing or proposed development activities within or affecting the designated area for the plan;

(c) An analysis of any plans or other actions of a federal, state or local governmental agency relating to outdoor recreational activities, facilities and opportunities for members of the public to engage in outdoor recreational activities in the designated area for the plan;

(d) An evaluation of the possible integration of the activities, facilities and opportunities specified in paragraph (c); and

(e) Any other information required by the Division relating to the plan.

2. The Division may:

(a) Cooperate with any person, including, without limitation, any nonprofit organization, any federal, state or local governmental agency or any other entity in preparing and revising the plan required pursuant to this section; and

(b) Apply for and accept any gift or grant of money from any source to assist the Division in preparing or carrying out the provisions of the plan, including, without limitation, the development or construction of any trails for hiking, biking or off-highway vehicles or any campgrounds or other facilities within the designated area for the plan.

3. The Division shall:

(a) Upon request by the Legislative Committee on Public Lands, submit a report to the Committee concerning the progress of the Division in preparing the plan required pursuant to this section and any other actions of the Division in carrying out the provisions of this section, including, without limitation, a statement setting forth the availability and expenditure of the money appropriated pursuant to section 6 of this act; and

(b) On or before February 1, 2009, prepare and submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a written report setting forth:

(1) The provisions of the comprehensive outdoor recreation plan prepared pursuant to this section; and



(2) Any other activities of the Division in carrying out the provisions of this section.

Sec. 6. 1. There is hereby appropriated from the State General Fund to the Division of State Parks of the State Department of Conservation and Natural Resources the sum of \$250,000 to carry out the provisions of section 5 of this act.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2009, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 18, 2009, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 18, 2009.

Sec. 7. This act becomes effective on July 1, 2007.

