

# PROPOSED REGULATION OF THE STATE ENVIRONMENTAL COMMISSION

*Revised December 1, 2014*

## P2014-11

EXPLANATION – Matter in *italics* is new; matter in brackets ~~{omitted material}~~ is material to be omitted. Matter in bold double underline is a proposed amendment subsequent to Public posting and Workshops; matter in double strikethrough brackets ~~{omitted material}~~ is material to be omitted.

AUTHORITY: NRS 439.150, 439.200, 445A.855, and 445A.860.

**Section 1.** NAC 278.290 is hereby amended to read as follows:

NAC 278.290 When a developer submits a final map of his or her subdivision for review, the developer must also provide a complete plan showing the systems of water supply and sewage disposal for the area to be developed. *If improvement plans were approved by the Division or local agency prior to final map submittal, the developer shall ~~certify~~ provide certification by the Professional Engineer of record that the improvement plans were not altered subsequent to approval. Any changes to approved improvement plans require re-submittal for review and approval by the Division or local agency with clear indication on the plans regarding all changes.*

**Sec. 2.** NAC 278.330 is hereby amended to read as follows:

NAC 278.330 1. The Division or local agency shall review and either approve or disapprove the plans for improvements shown on the final map ~~{and}~~ *or* related *improvement* plans within 30 days after receipt of the map ~~{and}~~ *or* plans.

2. The Division or local agency shall give written notice of its approval or disapproval to the developer. If the Division or local agency disapproves the map or plans, its notice must include the reasons for its action.

3. If the developer fails to record an approved final map within the time allowed by NRS 278.360, the developer must resubmit a tentative map through the governing body to the Division or local agency for its review and approval.

**Sec. 3.** NAC 278.340 is hereby amended to read as follows:

NAC 278.340 1. The developer shall not perform any *clearing, grubbing or grading* ~~construction~~ on the site of a subdivision, except that necessary to evaluate the subdivision, until the Division or local agency approves the *improvement plans, and the developer demonstrates that the requirements of NAC 278.390 to NAC 278.480, inclusive, have been met, except for:*

a. *The demonstration of capacity to meet demand for water, if a public water system is to be used for the subdivision, as required by NAC 278.400.1(b); and*

b. *The written commitment for connection to an existing system of community sewerage, as required by NAC 278.430.*

2. *The developer shall not perform construction of improvements on the site of a subdivision until the final map is approved with demonstration of the water and sewer service commitments in subsection 1 of this part, as applicable.*

**Sec. 4.** NAC 278.390 is hereby amended to read as follows:

NAC 278.390 Analyses of water quality may be performed in the State Public Health Laboratory, or any other laboratory certified by the ~~State Health Officer~~ *Division*, upon the developer's submission of an adequately identified sample consisting of ~~1-gallon of water~~ *a volume of water necessary to conduct drinking water quality analyses, in sample containers appropriate for the analyses.*

**Sec. 5.** NAC 278.490 is hereby amended to read as follows:

NAC 278.490 The following fees are prescribed for services performed by the Division:

For reviewing a tentative map..... \$400

Plus \$3 for each building lot shown on the map.

*For reviewing improvement plans*..... **300**

For reviewing a final map..... ~~400~~**100**

Plus \$3 for each building lot shown on the final map.

For a preliminary evaluation of a plant for water treatment for a subdivision,  
an additional fee of..... 50

For requesting and considering information which the subdivider has failed to  
submit in accordance with [NAC 278.260](#) to [278.370](#), inclusive, each request 100