

**CLARK COUNTY BOARD OF COMMISSIONERS
RESOLUTION URGING THE NEVADA DELEGATION TO ADVANCE FEDERAL
LEGISLATION THAT WOULD EXPAND CONSERVATION OF PUBLIC LANDS AND
ECONOMIC DEVELOPMENT OPPORTUNITIES IN CLARK COUNTY**

WHEREAS, Clark County is comprised of approximately 5.12 million acres of land; and

WHEREAS, 2.9 million acres (57%) of the land in Clark County is administered by the Bureau of Land Management (BLM); and

WHEREAS, Clark County works well with the BLM and local needs related to conservation and economic development can generally be met through administrative channels that do not necessitate federal legislative action; and

WHEREAS, at times the opportunities envisioned by Clark County and local government agencies for expanded conservation of public lands and economic development can best be achieved through federal legislation; and

WHEREAS, Clark County has a proud and robust history of complying with the Endangered Species Act and has completed more than 500 conservation projects benefitting private and public land totaling more than \$123 million to minimize and mitigate the unintended negative impacts of development on native species, which has resulted in unprecedented conservation outcomes in the Mojave Desert; and

WHEREAS, Clark County wishes to continue this regional approach to habitat conservation planning; and

WHEREAS, Clark County has a strong track record of supporting and championing federal lands legislation that balances economic development opportunities with additional preservation and conservation of public lands.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Clark County, Nevada, that we call upon the Nevada Congressional Delegation to advance federal legislation that achieves the following principles:

1. Designate the portion of Mt. Stirling Wilderness Study Area in Clark County as a Wilderness Area; designate additional wilderness contiguous with the existing Muddy Mountains, South McCullough, Eldorado and Ireteba Peaks Wilderness Areas; and
2. Designate additional Areas of Critical Environmental Concern (ACEC) and amend the Clark County Multiple Species Habitat Conservation Plan (MSHCP) for mitigation credit; prioritize management of the additional ACECs for protection and conservation of species listed in the MSHCP or its amendment; increase permitted development in the endangered species take permit on an acre for acre basis; and extend the term of the endangered species permit; and
3. Revise the boundary of the Ivanpah Area of Critical Environmental Concern in order to extend a critical tortoise connectivity corridor between Ivanpah Valley, CA and Paiute Eldorado, NV and decrease potential conflicts with necessary infrastructure for a future supplemental airport; and
4. Designate additional BLM disposal areas throughout Clark County to meet the needs of economic development and infrastructure; remove the West Valley Disposal Area from the BLM's 1998 resource management plan; and
5. Authorize the County to use a concession approach for the development and management of the Southwest Ridge Recreation Area acquired in 2002; and
6. Make minor adjustments to the Red Rock National Conservation Area boundary and Rainbow Gardens ACEC to exclude critical flood control infrastructure; and
7. Transfer BLM Recreation & Public Purpose leased lands, rights-of-ways, and land contracts on which permanent public infrastructure has been built to local units of government and authorize the transfer of current and future reservations; and
8. Convey federal land to the Moapa Band of Paiutes to restore lands that were once part of its Reservation for economic development, housing, and conservation; and
9. Convey federal land to the Moapa Valley Water District for critical water infrastructure projects for rural northeast areas of Clark County; and
10. Convey U.S. Forest Service land known as "Camp Lee Canyon" to Clark County in exchange for the portion of Lee Meadows owned by Clark County; and

11. Convey federal land to Clark County for a Mt. Charleston public safety complex for joint state and local government emergency response facilities; and
12. Authorize the collection of a public safety fee at Red Rock National Conservation Area and transmit the revenues generated from the fee to Clark County to offset police and fire emergency response costs; and
13. Directs the Secretary of the Interior to grant right-of-way for the Eastern Nevada Transmission Project to the Southern Nevada Water Authority, in perpetuity and without rental, as critical power supply infrastructure for southern Nevada; and
14. Directs the Secretary of the Interior to complete the remaining six erosion control structures (weirs) on the lower Las Vegas Wash within the Lake Mead National Recreation Area within the next 8 years, to protect upstream infrastructure and residential community; and
15. Transfer of the Recreation & Public Purpose lease lands associated with the Jean State Prison from the BLM to Clark County and direct the Secretary to allow the County to buy out the reversionary interest.

BE IT FURTHER RESOLVED a copy of this resolution be mailed to the Nevada

Delegation.

PASSED, ADOPTED AND APPROVED by the Clark County Commission, Nevada, on
this _____ DAY OF _____, 2018.

STEVE SISOLAK, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

ATTEST:

**CLARK COUNTY BOARD OF COMMISSIONERS
RESOLUTION TO EMPLOY SMART GROWTH PLANNING STRATEGIES TO
PROTECT THE RED ROCK NATIONAL CONSERVATION AREA**

WHEREAS, the Red Rock National Conservation Area is internationally-recognized for its beauty, natural wonder and unmatched recreational amenities; and

WHEREAS, Clark County recognizes the importance of protecting the visual, environmental and recreational quality of the Red Rock National Conservation Area; and

WHEREAS, Clark County also recognizes the need to facilitate additional economic development opportunities through the expansion and development of additional Bureau of Land Management disposal areas; and

WHEREAS, Clark County seeks to reduce traffic impacts on the Red Rock National Conservation Area and its recreational amenities; and

WHEREAS, employing smart growth planning strategies in disposal areas adjacent to the Red Rock National Conservation Area will protect and enhance the most sensitive and critical features of the area while minimizing any unintended and indirect impacts of development to the conservation area; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Clark County, Nevada, supports the use of the following smart growth planning strategies in an expanded disposal boundary that will protect the Red Rock Canyon National Conservation Area:

1. Development will include a balance of residential, nonresidential and recreational uses that integrate natural open spaces and natural features compatible with the conservation area; and
2. Development and built structures will be designed with materials, colors, architectural details, and other exterior design features that are compatible with the surrounding natural landscape; and

3. Development will take environmental, traffic, design, and visual analyses into consideration to ensure that development adjacent to the conservation area will occur in a manner that protects the environmental quality and natural beauty of the conservation area; and
4. Development will not block or adversely interfere with views of the conservation area and will be designed to be compatible with the natural setting; and
5. Development will allow internal and external connectivity through streets, sidewalks and trails to promote livability to protect and enhance existing and future recreational amenities and to minimize adverse impacts to traffic flow in and out of the conservation area; and
6. The County will update portions transportation element of the Clark County Comprehensive Plan to plan for and reduce traffic impacts as a result of increased development in the southwest Las Vegas valley.

BE IT FURTHER RESOLVED a copy of this resolution be mailed to the Nevada Delegation.

PASSED, ADOPTED AND APPROVED by the Clark County Commission, Nevada, on this _____ DAY OF _____, 2018.

STEVE SISOLAK, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

ATTEST:

LYNN GOYA, COUNTY CLERK

Clark County Lands Bill Resolution

Frequently Asked Questions

Why do we need to increase the Southern Nevada Public Lands Management Act Disposal Boundary?

There is enough land within the current Southern Nevada Public Lands Management Act (SNPLMA) disposal boundary (33,000 acres) to accommodate another 8-10 years of average annual growth (3,000 to 4,000 acres per year). This figure assumes every acre of land remaining is utilized, which is not practicable for a variety of reasons.

In 2017, population projections created from UNLV's Center for Business and Economic Research, in consultation with the Southern Nevada Water Authority, the Southern Nevada Regional Planning Coalition and the Regional Transportation Commission of Southern Nevada, suggest that Clark County's population will continue to grow to 2.72 million people by 2035 and 2.81 million people by 2050. Increases in population translate directly into increased land demand for non-residential and residential uses to support such an increase in population. Recent planning models have predicted approximately 67,000 acres of additional land is necessary to accommodate projected increases in population if current trends continue. As land availability dwindles, it drives up the cost of the remaining vacant land in Clark County and limits the types of development that can occur as many non-residential and residential products sizes cannot be accommodated on the remaining land available. These constraints hamper Clark County's ability to fully realize economic diversification, development and employment strategies desired by various state and local agencies.

The County and the cities are seeking a modest extension the SNPLMA disposal boundary, approximately 38,000 acres, to provide for orderly and predicable growth through the joint BLM/Local Government nomination process with proceeds of the land sales continuing to be deposited in the SNPLMA Special Account.

Why don't we rely more on infill development versus creating more urban sprawl?

The County and the cities are pursuing infill and a modest expansion of the disposal boundary that hits the sweet spot: avoids unnecessary sprawl and manages growth, but isn't so constraining that it causes unacceptable increases in the price of land or stalls efforts to diversify our economy.

The County and cities believe in the importance of infill to minimize development at the edges of the valley. To this end, the County and cities participated in the Southern Nevada Strong (SNS) regional planning effort, which aims to develop regional support for long-term economic success and a stronger community by integrating reliable transportation, quality housing for all income levels, and job opportunities throughout Southern Nevada. A focal point of SNS is to encourage new growth in existing neighborhoods, on urban vacant land and through redevelopment of underused sites. Efforts recommended in SNS are already underway at opportunity sites identified in the plan, including the Maryland Parkway corridor where regional planners are working together to encourage infill, provide improved transit options, and revitalize the area through transit-oriented development. As the recommended strategies in SNS are implemented, tested and refined, it may be that the community will increase its effectiveness at infill development and can significantly reduce the need for new growth outside of the current urbanized footprint.

However, unless Clark County experiences a significant and sustained decrease in population growth, some additional land must become available to support an increase in population and accommodate the types of economic diversification desired by state and local government while keeping land prices relatively stable. In addition, there are many barriers that can ultimately prevent remaining vacant lands from being developed. Location, size, configuration of the parcel, capacity of existing infrastructure, willingness of owners to sell, opposition of neighbors to proposed infill projects, and other constraints can also hamper the development potential of remaining vacant parcels. Therefore, relying solely on infill to meet the needs of our growing community seems imprudent.

What would future planning and zoning of additional disposal lands look like?

In the southwest portion of the valley, the additional disposal area is currently zoned rural open land and its planned land use is open land. This area would be subject to refined land use planning through an update to the Northwest Land Use Plan. This is a public process that is conducted approximately every five years by the Department of Comprehensive Planning and is adopted by the Board of County Commissioners. In addition, this area will be the subject of a smart growth planning strategy. The strategy is adopted in a County resolution and will result in a balance of residential, nonresidential and recreational uses that integrate natural open spaces and natural features compatible with the surrounding landscape.

In the south county, the additional disposal area is currently zoned rural open land and its planned land use is open land. If this land becomes eligible for BLM disposal, it would also undergo refined land use planning through an update to the South County Land Use Plan, which is a public process that is conducted by Department of Comprehensive Planning and adopted by the Board of County Commissioners. In addition, this area will be the subject of a joint planning process by the County and City of Henderson to plan infrastructure and resolve jurisdictional issues. Also, areas under the City of Henderson's jurisdiction would be subject to the City's Sloan Canyon Overlay and Sensitive Lands Overlay. For more information, please visit: <https://app.box.com/s/mgzth38xd09vyd0i7requxgingp25g5p>.

Will additional BLM disposal lands jeopardize our surrounding federal lands and conservation areas?

Clark County is approximately 5.12 million acres. The federal government administers about 90% of Clark County through six federal agencies. The principles being considered for a proposed lands bill have a negligible impact on the overall disposition of federal lands in Clark County. Bureau of Land Management administers approximately 2.9 million acres in Clark County. If approximately 38,000 acres of BLM land is made available through an increase to the SNPLMA disposal boundary, it represents a 1% decrease in BLM administered lands in Clark County.

No areas currently designated for conservation or recreation areas are proposed for disposal and additional disposal areas are contiguous with the existing disposal boundary. The County and the cities have a long tradition of working closely with federal land managers to establish conservation areas and minimize impacts of urban development on surrounding federal lands. Tule Springs National Monument, Gold Butte National Monument, Red Rock Canyon National Conservation Area and the existing Areas of Critical Environmental Concern (ACEC) on BLM lands in Clark County are all examples of local government's strong commitment to the designation of these important conservation and recreation areas. The principles being discussed for a proposed lands bill follow in this tradition.

In addition, there are several programs and efforts underway to reduce the unintended and indirect negative impacts of urban growth on surrounding landscapes to reduce the spread of invasive plant species, protect plants and animals, eliminate and restore illegal dump sites, and restore illegal OHV trails on public lands. Revenues generated through the sale of BLM lands in the SNPLMA disposal boundary have been the primary funding mechanism for projects designed to minimize impacts on federal land from urbanization.

Proceeds from an expanded SNPLMA disposal boundary would continue these essential efforts.

How are we going to deliver water for new development?

Committed to providing a reliable water supply to our community, the Southern Nevada Water Authority maintains a 50-year water resource plan, which contemplates the community's population growth over the next half-century to identify and pair the water resources necessary to meet that future demand. Utilizing population forecasting from the University of Nevada, Las Vegas' Center for Business and Economic Research, SNWA's water resource plan is updated annually to reflect changing conditions.

Through robust water conservation initiatives and demand-management strategies, Southern Nevada's per capita water use has decreased by 38 percent over the past 15 years, even as population has increased by 41 percent during that time.

Additionally, community-wide water reuse practices capture, reclaim and sustainably return nearly 100 percent of the Southern Nevada's indoor water use back to Lake Mead where it may be used again, effectuating one of the nation's largest indoor water recycling programs. Furthermore, SNWA has implemented proactive strategies for water supplies used outside the Las Vegas valley, mandating water recycling policies through direct and/or indirect reuse, as well as aquifer storage and recovery. These policies also contemplate conservation measures that limit external landscaping to drought-tolerant plants, prohibit the use of water features or man-made lakes, and limit use of evaporative cooling systems.

SNWA will continue to meet current and long-term water needs while promoting water efficiency; utilizing reliable, renewable water resources to meet demands; and maintaining proactive and adaptable water resource plans and policies to benefit the community.

Does amending the County's habitat conservation plan and permit through this lands bill undermine the federal Endangered Species Act?

Nothing in the resolution requests Congress amend the federal Endangered Species Act (ESA). The resolution and potential lands bill suggest no changes to the ESA and its requirements for habitat conservation plans and incidental take permits.

Clark County has a proud and robust history of complying with the ESA. In fact, in the 1990s, Clark County was a national leader in championing the habitat conservation planning and permitting process outlined in Section 10 of the ESA. In addition, Clark County was one of the only local governments in the nation to take a regional planning approach to incidental take permitting and habitat conservation planning. The ESA does not require such a regional approach and allows individual property owners to obtain individual permits and prepare parcel scale habitat conservation plans. This approach, while permissible under the ESA, would have been devastating to the conservation and recovery of a species like the desert tortoise. Clark County led the way in preparing and administering a regional approach allowing for unprecedented conservation outcomes in the Mojave Desert. Clark County is recognized across the Mojave Desert as the only place where desert tortoise populations are either stable or increasing.

The County, through the Multiple Species Habitat Conservation Plan (MSHCP), has completed more than 500 conservation projects, totaling more than \$123 million to minimize and mitigate the unintended negative impacts of growth and development on native sensitive species and habitats. No other local government in the country has invested as much as Clark County in protecting native species and fully complying with the ESA.

The resolution simply urges Congress include language in a lands bill that establishes ACECs for the durable conservation of species covered in the MSHCP and provide mitigation credit on an acre for acre basis.

Are the amendments requested to the County's MSHCP and incidental take permit based on the best available science?

The amendments being requested to the MSHCP and incidental take permit are based on the best available science developed through the administrative amendment process consistent with the requirements of the Endangered Species Act and National Environmental Policy Act that has been underway since 2008. The scientific analyses supporting the proposed amendments include, but are not limited to, impacts analysis, covered species analysis, updated species habitat models, changed circumstances analysis, establishment of biological goals and objectives and a monitoring strategy and climate change resiliency planning. Nothing in the proposed land bill waives the County's obligation under

the incidental take permit issuance criteria that U.S. Fish and Wildlife must follow to minimize and mitigate impacts of covered activities to maximum extent practicable.

Will an increase in population and economic development hamper our efforts to maintain compliance with the federal Clean Air Act?

The U.S. Environmental Protection Agency (EPA) develops National Ambient Air Quality Standards (NAAQS) to protect human health and the environment. The Clark County Department of Air Quality (DAQ) is required to develop long-term planning documents such as State Implementation Plans (SIPs) to demonstrate how the NAAQS will be achieved, maintained, and enforced. Clark County is in attainment for all but one criteria pollutant: ozone. The ozone standard was lowered in late 2015 and DAQ is currently conducting studies to help identify how ozone is being generated in order to tailor effective control measures to achieve maintenance with the new standard.

The County has significantly improved air quality in the Las Vegas Valley while population and development has increased and we expect that trend to continue.

How will the new wilderness areas and ACECs impact off-highway vehicle recreation?

There are approximately 83,000 acres of new wilderness being proposed. It should be understood that Mt. Stirling is currently designated as a wilderness study area and is therefore managed as though it is already designated wilderness. Wilderness designations do not allow off-highway vehicle recreation. Proposed additional wilderness areas are contiguous with the existing Muddy Mountains, South McCullough, Eldorado and Ireteba Peaks Wilderness Areas.

Off-highway vehicle recreation is allowed in ACECs. Typically, ACECs are subject to route inventory and designation processes outlined in BLM’s Travel and Transportation Management Manual. For example, Piute-Eldorado Valley, Gold Butte, and Mormon Mesa/Coyote Springs ACECs have all undergone travel and transportation planning processes. OHV racing can be accommodated in ACECs through the adoption of seasonal and vehicle count restrictions.

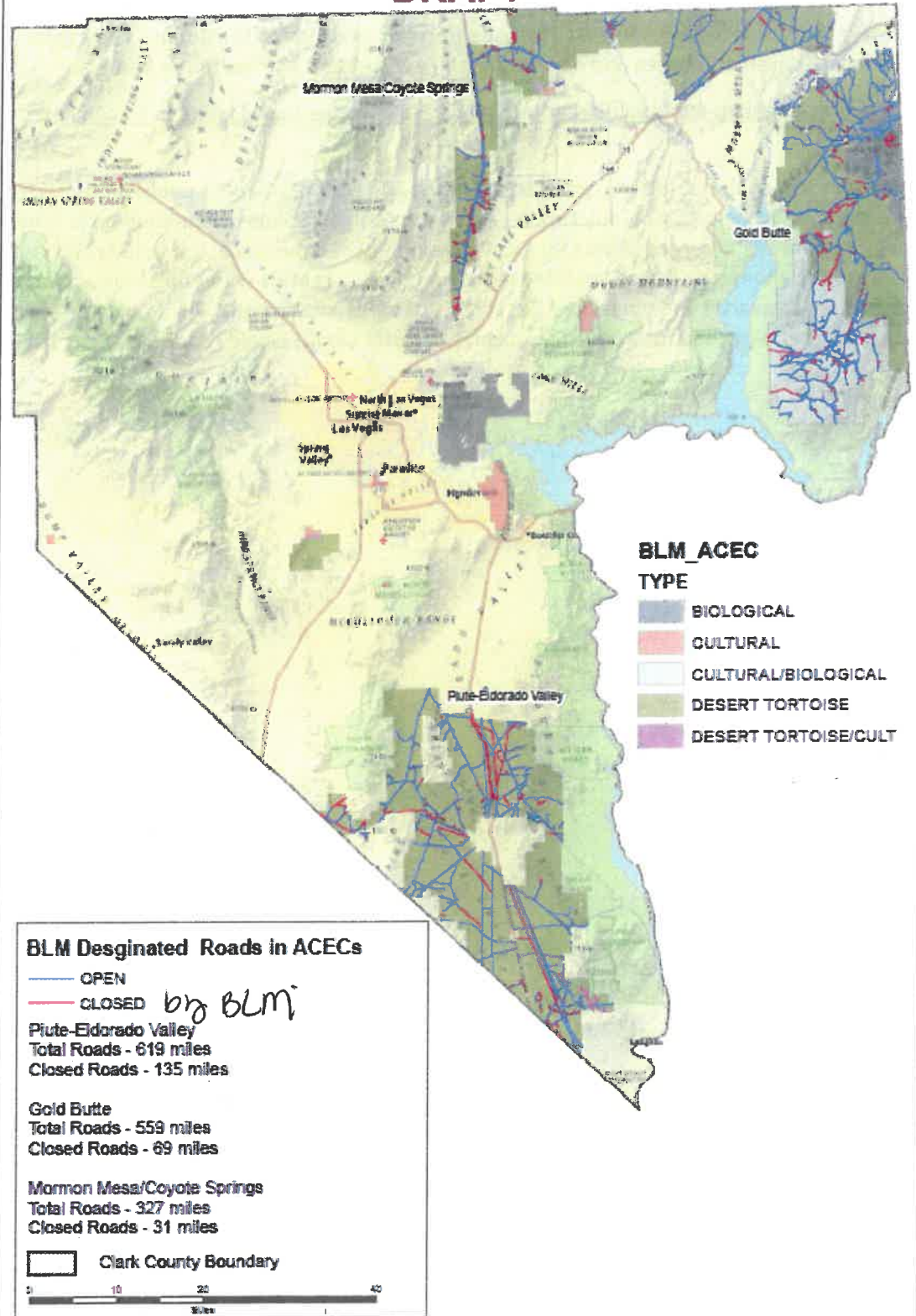
During the road designation process, BLM prioritizes roads for closure that are considered duplicative or unnecessary. Thus, on the map below, many of the roads that were ultimately closed either run parallel to another road that was designated open or consist of very short spurs that dead end.

The table below summarizes the outcome of roads inventoried, closed and proportion of roads closed in the route designation process existing ACECs. We expect that travel and transportation planning would result in similar outcomes in proposed ACECs.

ACEC	Miles of Roads Inventoried	Miles of Roads Designated “Closed”	Proportion of Roads Closed through the Planning Process
Piute-Eldorado	619	135	21.8%
Gold Butte	559	69	12.3%
Mormon Mesa/Coyote Springs	327	31	9.5%
Total/Average	1505	235	15.6%

BLM Road Designations and ACECs
Clark County, Nevada (5/15/2018)

DRAFT



Will there be another fee increase at the Red Rock Visitor Center to pay for emergency response costs?

Starting Feb. 20, 2018, the price to enter the 13-mile scenic drive at Red Rock increased to \$15 for a car or truck and from \$10 for a motorcycle. Visitors entering on a bicycle or on foot will pay \$5 per person. The BLM also plans a second fee increase by 2023 that would increase the price of admission to \$20 per car, \$15 per motorcycle and \$8 per bicyclist.

Revenues from the fee increases described above will be used to cover a portion of the County's emergency response costs at Red Rock National Conservation Area and no additional fee increase is anticipated or intended.

Why are the County and cities asking for BLM recreation and public purpose leased lands to be conveyed to local units of government?

The County and cities have leased thousands of parcels of BLM land and built permanent public infrastructure such as parks, police and fire stations, schools, community centers and flood control facilities. Requirements of these leases have unintended negative and costly consequences for local government. For instance, the County and cities are prohibited from storing pool chlorine on leased lands – even at community centers with pools – because it is prohibited by the lease. For ease of maintenance and operations, local units of government would like to own these lands. In the event the lands are no longer being used for a public purpose, a reverter clause would require it revert back to the BLM.