



**CITY OF LAS VEGAS**  
**2007 FEDERAL PUBLIC LANDS**  
**LEGISLATIVE AGENDA**

## **City of Las Vegas 2007 Federal Public Lands Legislative Agenda for the 110th Congress**

The public lands agenda for the City of Las Vegas is comprised of the following legislative proposals in priority order:

**1. The City supports the reintroduction of the Nevada Cancer Institute Expansion Act.**

Justification: the City worked closely with the Nevada Congressional delegation in 2006 to develop legislation to transfer approximately 80 acres of BLM land to the City, at no cost, for the purposes of developing a Nevada Cancer Institute facility, a park, a flood control project, a LVVWD pumping facility, and associated commercial enterprises. The land in question was patented to the City as part of the Angel Park conveyance, and legislation is needed to authorize a new use for the property. The Nevada Cancer Institute Expansion Act (S. 4088/H.R. 6383) was introduced in the final days of the 109<sup>th</sup> Congress by Senator Ensign and Rep. Berkley, and the City supports its reintroduction in the 110<sup>th</sup> Congress.

**2. The City supports amending SNPLMA to promote the development of affordable housing.**

Justification: the SNPLMA allows for lands to be made available for affordable housing purposes at less than fair market value. The BLM and HUD have worked together to develop approval guidelines to make lands available for affordable housing. Housing values in Southern Nevada have escalated to a level that affordable housing is becoming non-attainable, even with greatly discounted land values. The sale of BLM lands for development has resulted in values approaching \$300,000 per acre. The City supports the modifications to the SNPLMA affordable housing provisions contained in S. 3772 as introduced in the 109<sup>th</sup> Congress.

**3. The City supports amendments to the existing disposal boundary of the SNPLMA to further the future growth and development of the City of Las Vegas.**

Justification: The Clark County Public Lands Act of 2002 included approximately 12 square miles of land added to the disposal boundary in the northern portion of the Las Vegas Valley. These lands were annexed to the City of Las Vegas with the intent of providing future growth opportunities for the City. A subsequent recommendation of the BLM through the EIS process for a Conservation Transfer Area, due to environmental and archeological concerns, has the potential to eliminate the majority if not all of those lands anticipated for development. Opportunities exist on the west side of the Las Vegas Valley between the current corporate boundaries of the City and the Red Rock National Conservation Area for lands to be developed that are currently vacant or used for sand

and gravel extraction. Examination of other sources for sand and gravel extraction in the Las Vegas Valley may prove that a plentiful source exists in lieu of these existing pits and this area could be used for development. The Paiute Indian Tribe of Southern Nevada has expressed strong interest in allowing for the sale and development of a major portion of the existing Reservation Lands in the Northwest portion of the Valley. These lands can only be serviced by the City of Las Vegas with municipal services needed for development. The lands are not currently within the SNPLMA disposal boundary. These on-going proposals and opportunities present possible scenarios which would justify an amendment to the disposal boundary of the SNPLMA and preserve the future growth and development of the City of Las Vegas.

**4. The City seeks authorization to use private contractors to manage City-owned facilities located on lands acquired by the City through (a) the Recreation and Public Purposes Act (R&PP) and (b) the Parks, Trails and Natural Areas (PT&NA) funding category of the Southern Nevada Public Land Management Act (SNPLMA).**

Justification: the City has long attempted to take full advantage of public-private partnerships when developing public facilities on lands acquired through the R&PP process or through the use of SNPLMA funds. For example, on the City has successfully partnered with the non-profit YMCA for the operation and maintenance of a community center and with a private, for-profit organization for the operation and maintenance of an 18-hole public golf course, both on R&PP leased land. Each of these ventures has provided the City with a cost-effective means of developing and maintaining two excellent public facilities that serve the residents of the northwest portion of the valley.

The BLM is now telling the City, on the advice of the Solicitor's office, that they no longer have the authority to permit these types of public-private partnerships. A recent example has been an effort by the City to develop a Neon Museum and Park on land owned by the City and land acquired by the City with SNPLMA funds. The City is acquiring two parcels adjacent to the existing Neon Museum that include a residential duplex located on each parcel. As part of the project development, the City submitted a proposal to BLM to retain one of the duplex buildings for use as an administrative office and a small concession area for the museum. The BLM determined that no private commercial uses (the concession area and museum offices) could be permitted on the properties acquired with SNPLMA funds.

**5. The City requests that the BLM be granted authority under SNPLMA to dispose of lands for non-residential, economic development purposes.**

Justification: the current SNPLMA land sale process often results in federal parcels being sold for amounts far in excess of the appraised fair market value. These parcels are developed mainly for residential purposes because of the high profit margins associated with that type of development. Consequently, the City has found it increasingly difficult to attract small business development, such as a technology park, on land sold through

the SNPLMA auction process. The City supports amending SNPLMA to authorize land sales exclusively for non-residential purposes. This type of land use restriction should have the effect of reducing the fair market value of the land in question so that small business development is more economically feasible.

**6. The City supports a directive to the BLM, or the appropriate amendments introduced to the Recreation and Public Purpose regulations and the SNPLMA, to allow for the transfer of title to certain public lands patented through the R&PP process to the affected local governmental entities in order to address federal restrictions and regulations concerning the operation and maintenance of those facilities.**

Justification: the City and other local governmental entities, including the Regional Flood Control District, develop and operate public facilities, such as water treatment plants and flood control detention basins, on R&PP leased land. Because of the BLM's reversionary interest in these lands, the local governmental entities are required to operate their public facilities as if they were located on federal land. For example, the Regional Flood Control District must dispose of materials derived from the excavation of a flood control detention basin. Federal regulations require that the excavated material be deposited on "other federal lands." This requirement often results in excessive costs for a public project for the transporting of this material for several miles to an acceptable site, when other private sites are located adjacent to the project that would accept the material. The City faces similar problems related to the operation and maintenance of its water treatment facilities that are located on R&PP leased land. The City is required to treat its wastewater with various chemicals in order to meet federal environmental protection standards, yet it is prohibited from storing those very chemicals on site because it would then be in violation of federal land management regulations.

**7. The City seeks authorization to use SNPLMA funds for capital improvements that directly benefit PT&NA funded projects.**

Justification: the SNPLMA authorizes federal land managers to utilize proceeds in the special account for capital improvements at areas they administer around the valley. Such projects include construction of a new visitor center at the Red Rock Canyon National Conservation Area (BLM), construction of the Kyle Canyon Visitor and Interpretation Center (Forest Service), construction of the Lake Mead Hatchery Visitor Center (National Park Service), and construction of the Desert National Wildlife Refuge Visitor Center (USFWS). Units of local government are not authorized to use SNPLMA funds for capital improvement projects such as visitors centers, community centers, and recreation centers, although they have a need similar to that of the federal agencies to develop these types of facilities within their larger regional parks. These facilities serve an important function in providing services for our valley residents and visitors, and they should qualify for funding under SNPLMA.

**8. The City seeks authorization to use SNPLMA funds for the operation and maintenance of PT&NA funded projects.**

Justification: the PT&NA category through 5 rounds of funding has resulted in the approval of 99 projects and a total investment of \$435 million. To date, no monies have been allocated to the units of local government for the operation and maintenance of this investment.