

# Transfer BLM Land Ownership to Local Governments for Existing Facilities

Presentation to the Nevada Legislative Committee on Public Lands  
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# Local Government Entities Represented

- Clark County Regional Flood Control District
- Clark County
- City of Las Vegas
- City of Henderson
- City of North Las Vegas
- City of Boulder City
- Clark County School District
- Southern Nevada Water Authority
- Las Vegas Valley Water District

# Use of Federal Lands for Public Purpose

Under the Recreation & Public Purpose Act and through the federal right-of-way acquisition process, local governments and public agencies can use public lands to build facilities which serve a public purpose.



## Restrictions Placed on Local Entities

The ownership of these lands remains with the federal government.

BLM places certain restrictions and stipulations on the usage of these lands.

BLM spends significant amounts of time monitoring these encumbrances.

# Proposed Concept

Seek legislation to transfer ownership of federal lands to the local governments and agencies in Clark County where they have constructed and operate existing public facilities.



# Flood Control Detention Basins

Red Rock Detention Basin



Pittman East Detention Basin



# Public Safety Facilities

City of Las Vegas Fire Station



Metro Police Substation & Training Facility





# Public Parks

Durango Hills County Park



Swimming Pool





# Public Parks

Kellogg-Zaher Sports Complex  
Tournament Tennis Facility



Children's Playground



# Public Schools

Frias Elementary School



Silverado High School





# Water Reservoirs

Henderson Reservoir #4



LVVWD Levi Reservoir and Pumping Station





# Youth Justice Facility

Spring Mountain Youth Camp  
on Mount Charleston



Administration Building at the  
Spring Mountain Youth Camp



# Difficulties Resulting from Federal Ownership

- ▶ BLM places strict stipulations and evolving conditions on the use of the property which impedes the entity's ability to effectively manage the public use of the existing facility.
- ▶ Many of these conditions are unnecessary and onerous in nature.
- ▶ These conditions, require a significant amount of workhours from BLM staff and entity employees to respond to on-going site needs. BLM is a land managing agency, not a facilities manager.



# Detention Basins: Disposal of Debris

- ▶ Following major storms, basins fill with debris.
- ▶ BLM considers the debris as a “mineral resource” with monetary value.
- ▶ CCRFCD crews are not allowed to remove the debris material without notice to the BLM and a process established for the eventual sale of the material.
- ▶ This delay severely endangers public safety by reducing the overall capacity of the basin.





# Change of Use

- ▶ Only those uses identified at the time of application are permitted.
- ▶ As public needs change, local entities often need to make changes or additions to the purpose and use of the acquired sites.
- ▶ Local entities must go through a “re-application process” delaying services.
- ▶ In Clark County alone this cumbersome process occurs 4-5 times per year.



# Third-Party Uses & Sub-Leasing

- ▶ Each utility must make separate application to lay lines in right-of-ways granted to the local entities.
- ▶ Due to workload at the BLM, this can add 6-9 months on tight construction timelines.
- ▶ Sub-Leasing questions as to type of sub-leases allowed and what is not changes based on the individual interpretation of the BLM Field Manager. Subject to changes in Administration
- ▶ Heightens monitoring issues by the BLM





# Management Agreements & Amendments

- ▶ Some community facilities are managed and operated under contracts between the local entity and private business and organizations.
- ▶ Termination requires BLM approval.
- ▶ Hiring of a new manager must also be approved by BLM.
- ▶ This delays public services and can be especially troubling when there has been a performance issue with the vendor.





# Development and Programming Changes

- ▶ Any changes in the proposed order of project development, no matter how minor, requires BLM approval.
- ▶ Any changes in programming of event and uses scheduled on these sites requires BLM approval.
- ▶ This can cause delays in meeting an immediate community need.



# Special Event Approvals & Proceeds

- ▶ BLM approvals are needed for all vendors participating in public events on BLM property.
- ▶ Limits ability to make quick changes to meet community and event needs.
- ▶ Proceeds from special events must be used to maintain the site where they're generated.
- ▶ Limits ability to use funds where the greatest need exists.





# Environmental and Other Stipulations

- ▶ City of Las Vegas acquired BLM land for a water reclamation facility.
- ▶ Federal law limited the storage of chlorine chemicals on BLM property.
- ▶ Chemicals used for the operation of the reclamation facility had to be stored off-site and brought to the facility.
- ▶ Similar issues exist with using EPA approved pesticides and herbicides used in public parks.





# End of Usefulness

- ▶ When a facility is no longer needed (schools in commercial areas), the local entity is required to “reclaim the land to its original condition.”
- ▶ Expensive proposition, so, rather than cease use, local entities maintain the cost of maintaining the aged facility.
- ▶ Reversionary clauses in the transfer of ownership of the land would require the property to be disposed of by returning it to the BLM to be sold under the provisions of the Southern Nevada Public Lands Management Act.



## Proposed Concept

Seek legislation to transfer ownership of the federal lands to the local governments and agencies in Clark County where they have constructed and operate existing public facilities.



# Timeline

- |                        |                                    |
|------------------------|------------------------------------|
| ▶ May – August         | Gather information                 |
| ▶ August – September   | Draft Legislation                  |
| ▶ September – November | Meet with Congressional Delegation |
| ▶ November – December  | Finalize Legislation               |
| ▶ January or February  | Introduce Legislation              |

# Questions?

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