



**TESTIMONY OF MARCI HENSON, DIRECTOR
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PREPARED FOR THE U.S. SENATE ENERGY AND NATURAL RESOURCES
SUBCOMMITTEE ON PUBLIC LANDS, FORESTS AND MINING
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S. 567 - Southern Nevada Economic Development and Conservation Act

Subcommittee Chairman Cortez Masto, Ranking Member Lee, and distinguished members of the subcommittee, thank you for the opportunity to participate in today's hearing on S. 567, the Southern Nevada Economic Development and Conservation Act. I appreciate the invitation to discuss the critical need for this bill to support the economic recovery of Southern Nevada, manage its future growth and protect the natural resources and public lands of Clark County.

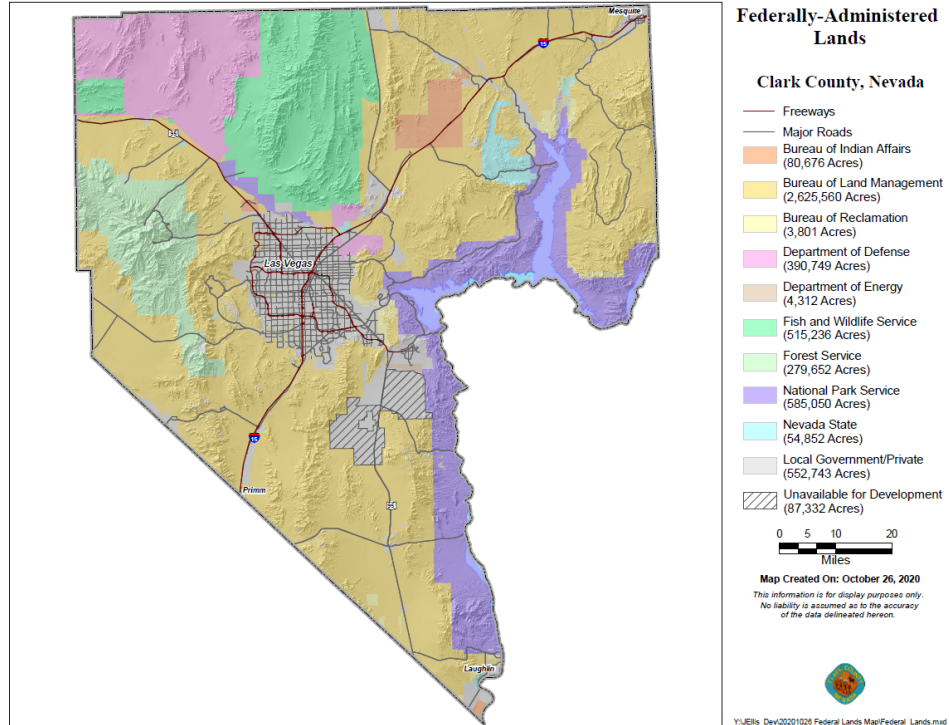
My name is Marci Henson and I am the Director of the Clark County Department of Environment and Sustainability and am here today representing the entire Board of County Commissioners. Clark County provides extensive regional services to more than 2.3 million residents and more than 45 million visitors a year. I oversee the County's regional programs related to clean air, endangered species, sustainability and climate resilience. While the region may be known for the bright lights and world class entertainment of the Las Vegas Strip, our best kept secret is that Clark County is a community dedicated to protecting our air and climate, conserving habitat for threatened and endangered species, and preserving access to public lands while ensuring economic opportunity for all. As such, we are proud to have worked with Senator Cortez Masto and the entire Nevada congressional delegation to develop S. 567.

Simply put, S. 567 is a holistic blueprint to manage the future growth of Clark County and protect public land for conservation and recreation in the region. Clark County has consistently been among the fastest growing counties in the nation. This sustained growth over the past three decades has required the Nevada delegation, formerly led by Senator Harry Reid, to proactively enact bipartisan public lands conservation bills similar to S. 567 starting with the Southern Nevada Public Lands Management Act (SNPLMA). In 2020, population projections by UNLV's

Center for Business and Economic Research estimated that Clark County will add 820,000 residents and grow to 3.2 million residents by 2060¹.

Our obligation is to proactively plan for this growth in a manner that protects and sustains our natural resources, enhances the quality of life for current and future residents, and ensures the economic prosperity of the region. Clark County is the nation’s 13th-largest county, consisting of 5.2 million acres, 89 percent of which are administered by a federal land management agency or the Department of Defense. The majority of land, over 2.6 million acres, is administered by the Bureau of Land Management (BLM). Due to this federal land ownership in Southern Nevada, our options for planning and development are very constrained and require significant coordination with federal land management agencies.

The BLM has not updated its Las Vegas Valley Resource Management Plan (RMP) since 1998 the year SNPLMA was enacted. However, our conservation, local land management needs, and plans to accommodate future growth now surmount actions that can solely be implemented through an updated RMP. While Clark County is often maligned for “sprawling” development, the map below illustrates the reality of Southern Nevada’s concentrated development pattern and the significant limitations to its possible growth which are both jurisdictional and geographic.



¹ <https://files.clarkcountynv.gov/clarknv/2020%20CBER%20Population%20Forecasts.pdf>

Increases in population translate directly into increased land demand for non-residential and residential uses to support a growing community. Available land in Clark County is comprised of undeveloped privately-owned and federally-owned parcels administered by the BLM that are primarily within the Las Vegas Valley Disposal Boundary identified in the SNPLMA. Within this disposal boundary, BLM parcels may be nominated for sale by local government for residential and non-residential uses. There is enough federal land within the current SNPLMA disposal boundary (approximately 27,000 acres) to accommodate another 5-7 years of average annual growth (4,000 to 5,000 acres per year), not including private parcels that may or may not be for sale.

As land availability dwindles, it drives up the cost of the remaining vacant land in Clark County and exacerbates housing attainment and affordability, which is a problem already plaguing the region and depressing Southern Nevada's battered economy. Land scarcity also limits the types of development that can occur as many non-residential and residential project sizes cannot be accommodated on the remaining parcels of land available. These constraints hamper the region's ability to fully realize goals for affordable housing, economic diversification and less dependence on tourism and full employment. While some progress in economic diversification has been made, the current COVID-19 crisis and resulting economic fallout once again demonstrate the need to diversify Southern Nevada's economy. Nevada's Plan for Recovery and Resiliency², commissioned by the Nevada Governor's Office of Economic Development, calls for creating logistics and advanced manufacturing hubs and other mixed use developments in Clark County. However, local economists have warned that Clark County does not have a critical piece of the infrastructure necessary to achieve economic diversification: land. Infill is an important piece of solving Southern Nevada's land development challenges, but infill alone is not a panacea. A 2020 study³ by RCG Economics, prepared for the National Association for Industrial and Office Park's (NAIOP) Southern Nevada Chapter, found that there are only 22 parcels 60 acres or larger and only 15 of those parcels are privately owned and could made available for sale and development.

The 2020 study warns that Southern Nevada is on the verge of experiencing a land shortage for parcels necessary to achieve urgent economic diversification goals. This will have negative economic consequences weighing on an already dire economic situation in the county. The report estimates the economic damage from a land shortage would result in reduced economic output for the region of up to \$69.5 billion. Employment growth would slow down and the region

² <https://goed.nv.gov/wp-content/uploads/2021/01/Nevada-Recovery-and-Resiliency-Plan-FINAL.pdf>

³ Southern Nevada Industrial Land Analysis: Inventory and Implications for Economic Growth and Economic Development, July 2020

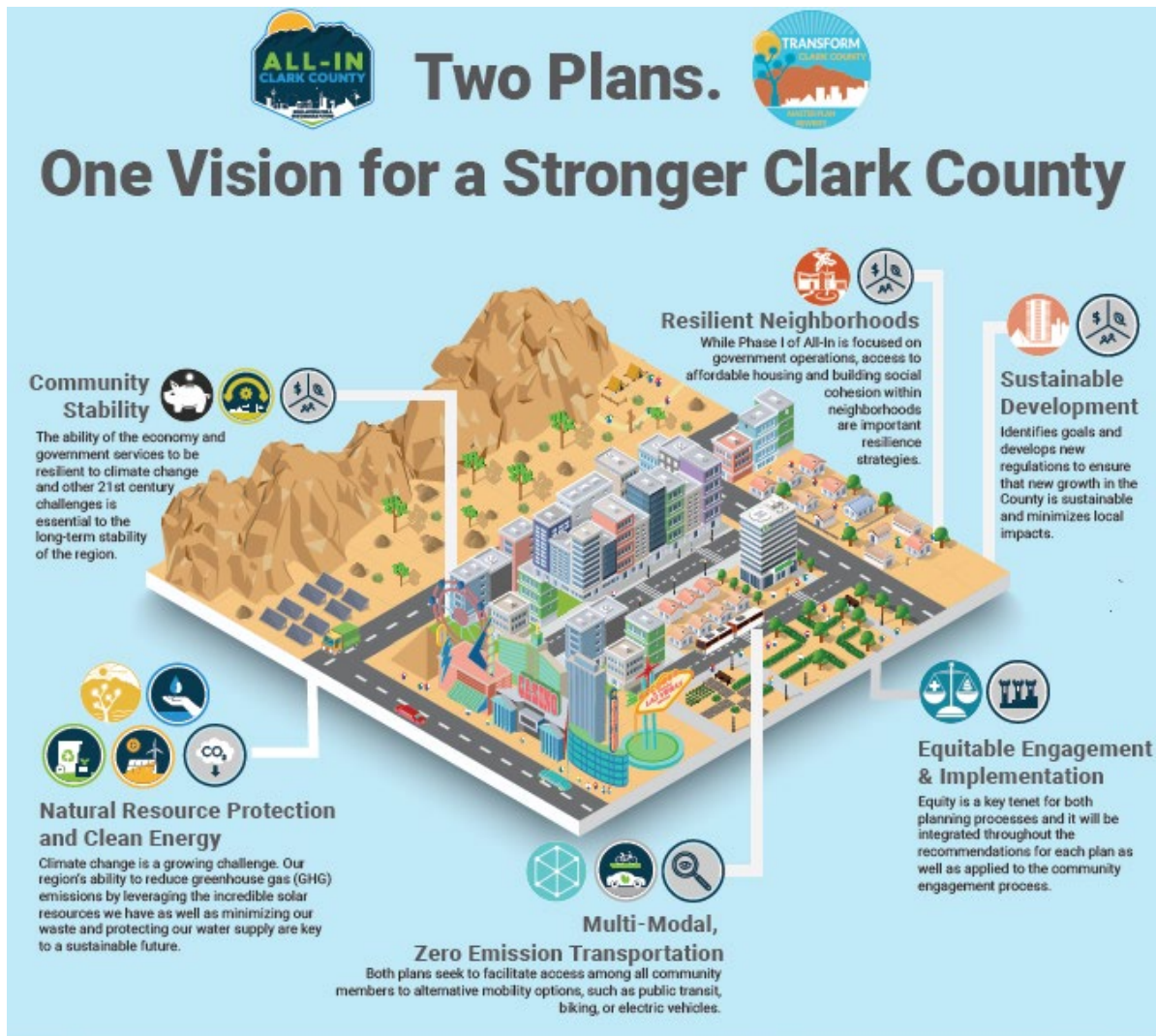
would lose up to 329,100 jobs. Earning potential would decrease by up to \$19.5 billion. Gross regional product would decline up to \$36.1 billion. Land constraints will have a severe negative impact on the economic security of Southern Nevada.

Unless Clark County experiences an unlikely population decline, additional land must become available to support new residents, create jobs and accommodate the types of economic diversification desired by state and local government while keeping land prices relatively stable. S. 567 provides the ground rules for such growth and includes a modest 30,633 acre expansion of the disposal boundary that avoids unnecessary sprawl and manages urban expansion.

The majority of the expansion area identified in S. 567 is contiguous with the current urban development footprint and was selected for its proximity to rail, interstate highway, the Southern Nevada Supplemental Airport and its situational appropriateness for light industrial development and advanced manufacturing. This kind of strategic and managed growth is necessary to ensure Clark County's future is healthy, livable, prosperous, and climate resilient. In preparation for S. 567, we have undertaken two planning initiatives *All-In Clark County*⁴ and *Transform Clark County*⁵. *All-In Clark County* is focused on addressing climate change, reducing greenhouse gas emissions and improving economic, environmental and social resilience. *Transform Clark County* is focused on sustainable development, multi-modal and zero emission transportation, natural resource protection, clean energy, resilient neighborhoods, and community stability. Together, S. 567, *All-In* and *Transform Clark County*, will ensure the County's ability to grow responsibly while meeting sustainability and climate action goals. In fact, Section 208 of this bill would provide critical funding to implement the sustainability and climate protection projects identified in these plans.

⁴ https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/sustainability/all-in_clark_county/index.php

⁵ <https://www.transformclarkcounty.com/>



While S. 567 provides a blueprint for strategic and managed growth, this legislation also provides for other equally as important planning priorities in Southern Nevada that together represent a holistic approach to the development and preservation of Clark County. Starting in 2008 Clark County and the Cities spent more than a decade working through administrative processes with the BLM and U.S. Fish and Wildlife Service to amend the Las Vegas RMP and the MSHCP. When the BLM delayed the RMP amendment in 2016, Clark County began discussions with local stakeholders to draft principles for a lands bill to serve as a roadmap for development and conservation in Southern Nevada for the next 50 years.

These priorities were established through years of discussions, meetings and consultations with local and national environmental organizations, federal agencies, residential and non-residential developers, affordable housing proponents, local municipalities, utilities, businesses and local chambers of commerce.

Sections 101 and 102 return and protect more than 41,000 acres of ancestral lands to the Moapa Band of Paiute Tribe. The Tribe has been a valued partner in this process and I would like to acknowledge that Clark County is located within the traditional territory of the Southern Paiute (“Nuwu”) and is federally recognized as the Las Vegas Paiute and Moapa Band of Paiute. Clark County is made culturally richer by the strength and vibrancy of the Southern Paiute people. We hope the land being returned to the Moapa Band of Paiute will be a place of abundance, ceremony and culture where native traditions and new opportunities will carry on for generations to come.

Section 202 expands the Red Rock Canyon National Conservation Area by 51,000 acres. The bill also removes approximately 11,764 acres of habitat from BLM land disposal including habitat for a rare plant found in northeast Clark County and habitat near the Red Rock Canyon National Conservation Area and protects it from development encroachment. Section 301 designates over 1.6 million acres of wilderness to protect some of the most high priority landscapes in Nevada.

Section 205 creates nine new Special Management Areas and conserves approximately 353,716 acres of sensitive, threatened and endangered species habitat in Clark County. It also amends the Clark County Multiple Species Habitat Conservation Plan as determined by the U.S. Fish and Wildlife Service and pursuant to Section 10 of the federal Endangered Species Act and other existing environmental laws. The Clark County MSHCP is one of the nation’s largest and most successful habitat conservation plans, which mitigates the impacts of development on listed species. To date, the program has invested more than \$154 million by implementing more than 600 conservation projects to protect species and improve habitat.

S. 567 contains several provisions to expand and protect recreational opportunities in Clark County. For instance, Section 201 amends the definition of a public park on a former BLM parcel to allow more creative uses like zip lines and BMX bike tracks that were identified in a community master plan. S 567 would allow these features to be built and operated by a concessionaire, not unlike those successfully utilized by the U.S. Forest Service and National Park Service.

Section 402 conveys approximately 250 acres of land to the City of Mesquite for the creation of the “River Park” to provide river access and open space to residents and allows the City to fund and implement a management plan for the imperiled Virgin River Watershed and the rare and endangered fish species that call it home.

Section 701 protects three existing off-highway vehicle recreation areas and establishes a fourth. S. 567 will protect these recreation areas and ensure they are prioritized for proper recreation

planning and route designation under existing laws and regulations. It ensures these areas will be protected and enhanced for current and future responsible off-highway vehicle users in Clark County.

In total, the bill designates more than 2 million acres of federally-owned land for habitat conservation, outdoor recreation, and preservation and is the largest conservation bill in Nevada's history. The conservation expansion in this bill is equal to the size of the entire State of Delaware and half of Rhode Island.

S. 567 also protects critical infrastructure and improves the resilience of our community. Section 404 conveys approximately 121 acres of federal land to the Moapa Valley Water District for the construction and operation of essential water infrastructure to supply water to the rural communities of Logandale, Overton, Moapa, and Glendale, Nevada. Sec 202 and 203 make minor boundary adjustments to the Red Rock National Conservation Area and the Rainbow Gardens Area of Critical Environmental Concern to ensure the operation and maintenance of critical flood control infrastructure that will protect human life and private property. Section 703 directs the Secretary of Interior to complete six erosion control weirs on the Lower Las Vegas Wash within the Lake Mead National Recreation Area. These weirs are critical to improving the quality of waters returning to Lake Mead and protecting the county's drinking water supply. Sections 403 and 404 convey federal parcels to the County and City of North Las Vegas for coordinated public safety and wildfire response on Mt. Charleston and firefighter training facilities respectively.

Sections 204 and 702 allow conveyances of federal parcels on which permanent public infrastructure has been constructed to local government or public water agencies. These provisions allow local government to request conveyance of a federal parcels where schools, police and fire stations, water reservoirs, parks and other permanent public infrastructure have been built. It allows for the streamlined management and operation of the facilities directly as opposed to through complicated and antiquated leases/authorizations by a federal agency.

Finally, S.567 expedites and facilitates the development of more affordable housing in Clark County. Today, there is a shortage of 59,370 affordable homes for extremely low-income households, which have an annual income at or below 30% of the area median income⁶. If we include very low-income households, the shortage grows to 78,112 homes. According to the

⁶ https://www.clarkcountynv.gov/residents/assistance_programs/affordable_housing_help.php

National Low Income Housing Coalition, Clark County has the second fewest affordable and available rental homes per 100 homes for extremely low-income households in all counties across the nation. In recent discussions with BLM staff in Clark County, the office was only able to commit to processing one affordable housing project per year under the current SNLPLMA provisions because of its current resource constraints and regulatory requirements. S. 567 provides the BLM and local governments with more options to create affordable housing using BLM parcels within the SNPLMA disposal boundary, allows the local government to attract more affordable housing partners, and streamlines the public notice and acquisition process associated with affordable housing parcels.

Thank you for your time today and the opportunity to testify in front of the subcommittee. Clark County respectfully urges the subcommittee to support S. 567.