

# Regional Open Space Plan

**Southern Nevada Regional Planning Coalition**

**Adopted July 2006**



**A Policy Framework Report for the  
Southern Nevada  
Regional Planning  
Coalition**



**Prepared by:  
Greenways Incorporated  
The Greenway Team  
JW Zunino Associates  
The Trust for Public Land**

**Adopted  
July 27, 2006**

# **Regional Open Space Plan for Southern Nevada**

## **A Policy Framework Report**

**Prepared for:**



**Southern Nevada  
Regional Planning Coalition**

**Prepared by:**





## Table of Contents

Acknowledgements .....	i
Executive Summary .....	ex-1
Chapter 1: Introduction/Overview .....	1-1
Chapter 2: Prior Planning Efforts .....	2-1
Chapter 3: Open Space Defined .....	3-1
Chapter 4: Open Space Components .....	4-1
Chapter 5: Implementation .....	5-1
<b>Appendices</b>	
Appendix A: Action Plan .....	A-1
Appendix B: Open Space Toolbox .....	B-1
Appendix C: Funding Resources .....	C-1
Appendix D: Governance .....	D-1
 <b><u>List of Maps</u></b>	
M-1 Open Space Opportunities .....	M-1



# Acknowledgements

This report, which defines the vision, tools and strategies for conserving open space in Southern Nevada and the greater metro area of Las Vegas, was prepared through a partnership among the communities of the Southern Nevada Regional Planning Coalition. The following groups and individuals are recognized for their contributions to this report.

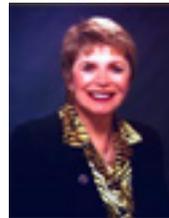
## Southern Nevada Regional Planning Coalition Board



Trustee Susan Brager-Wellman  
Clark County School District



Councilman Steve D. Kirk  
Chair  
City of Henderson



Commissioner  
Myrna Williams  
Clark County



Mayor  
Oscar B. Goodman  
City of Las Vegas



Mayor  
Robert Ferraro  
City of Boulder City



Councilman  
Amanda M. Cyphers  
City of Henderson



Commissioner  
Lynette Boggs-McDonald  
Clark County



Councilman  
Lawrence Weekly  
Vice Chair  
City of Las Vegas



Councilwoman  
Stephanie S. Smith  
City of North Las Vegas



Councilman  
Shari Buck  
City of North Las Vegas

## Southern Nevada Regional Planning Coalition Staff

Jennifer Olsen, Coalition Secretary



### Southern Nevada Regional Planning Coalition Technical Committee

Paul Gerner  
Associate Superintendent  
Clark County School District

Phil Speight, Chair  
City Manager  
City of Henderson

Vicki G. Mayes  
City Manager  
City of Boulder City

Thom F. Reilly  
County Manager  
Clark County

Patricia Mulroy  
General Manager  
Southern Nevada Water Authority

Gregory Rose  
City Manager  
City of North Las Vegas

Doug Selby, Vice Chair  
City Manager  
City of Las Vegas

Christine Robinson, Director  
Clark County Air Quality &  
Environmental Management

Jacob Snow  
General Manager  
Regional Transportation  
Commission of Southern Nevada

### Southern Nevada Regional Planning Coalition Planning and Parks and Recreation Directors

**City of Boulder City**  
Brok Armantrout, Director  
Community Development

**Clark County School District**  
Matt LaCroix, Director  
Demographics, Zoning & Realty

**Las Vegas Valley Water District**  
Nick Braybrooke, Director  
LVVWD Resources

Roger Hall, Director  
Parks and Recreation

**Clark County**  
Barbara Ginoulas, Director  
Comprehensive Planning

**City of Henderson**  
Bristol Ellington, Director  
Community Development

**City of North Las Vegas**  
Jory Stewart, Director  
Planning & Zoning

**City of Las Vegas**  
M. Margo Wheeler, Director  
Planning & Development

Patricia Marchese, Director  
Parks and Recreation

Jim Norman, Director  
Parks and Recreation

Mike Henley, Director  
Parks and Recreation

Barbara P. Jackson, Director  
Liesure Services

**Clark County  
Regional Flood Control District**  
Gale Fraser, General Manager  
Chief Engineer

**Clark County Air Quality &  
Environmental Management**  
Rob Mwroka, Planning Manager

**Regional Transportation  
Commission of Southern Nevada**  
Bruce Turner, Planning Manager



## SNRPC Regional Open Space Working Group

**Deb Reardon**, City of Henderson Planning, *Chair*  
**Patricia Ayala**, City of Henderson Parks and Recreation  
**Brandon Boulter**, Clark County GIS  
**Dave Carlson**, Clark County Air Quality and Environmental Management  
**Melissa R. Clary**, City of Las Vegas Leisure Services  
**Misty Haehn**, City of North Las Vegas Parks and Recreation  
**Elaine Houser**, Clark County Parks and Recreation  
**Adrienne Low Joly**, City of Las Vegas Planning  
**Dan Kezar**, Clark County Planning  
**Johanna Murphy**, City of North Las Vegas Parks and Recreation  
**Tom Perrigo**, City of Las Vegas Planning  
**William Rowe**, City of Henderson Parks and Recreation  
**Tim Sutko**, Clark County Flood Regional Control District  
**Tony Taylor**, City of North Las Vegas Parks and Recreation  
**Jon Wardlaw**, Clark County Planning  
**Tracie Wheaton**, City of Henderson Planning

## Consultant Team

### Lead Consultant

#### **Greenways incorporated**

Charles A. Flink, FASLA, President  
Marc deBree, AICP, Planner  
Matthew Hayes, GIS Coordinator  
Jason Reyes, Planner  
Susan Kirk, ASLA  
Leslie Clark, Planner  
Marjorie Strauss, Office Manager

### Subconsultants

#### **The Greenway Team**

Robert M. Searns, AICP, Principal

#### **JW Zunino and Associates**

Jack Zunino, FASLA, Principal

#### **The Trust for Public Land**

Carl Somers

Special mention and acknowledgement is given to Ms. Deborah Reardon who devoted significant time and energies in guiding and coordinating the Open Space Working Group and consultant team. Her leadership was invaluable.

# chapter one introduction



## Key Points

- **The 2001 SNRPC Policy Plan stressed the urgency for an open space plan and a regional approach to land conservation throughout Southern Nevada.**
- **This Regional Open Space Plan defines the vision, tools, strategies and conceptual framework for achieving this.**
- **The focus of the Regional Open Space Plan is on the Greater Metro Las Vegas Valley including the developed area as well as the visible and readily-accessible mountain and desert lands that encircle the Valley.**
- **This plan emphasizes success through cooperative efforts of the communities, jurisdictions, and stakeholders of the Valley, while respecting local autonomy.**
- **This plan was produced through a collaborative effort of representatives of the jurisdictions and the consultant—with review by the SNRPC Board, Planning Directors, and Technical Committee.**

**regional open space plan**

## Chapter 1: Introduction

For the past three decades, the Las Vegas Valley has been one of the fastest growing regions in the United States. In 2001, the communities of the Southern Nevada Regional Planning Coalition established a Policy Plan to address regional growth and development issues. Among the seven key findings of this Policy Plan was the urgent need to prepare an Open Space Plan for Southern Nevada to establish a regional approach to the conservation of natural resources. This report defines a vision, tools and strategies for conserving open space in Southern Nevada, and lays out a conceptual framework for how the Coalition communities can work together to implement the recommendations in this plan.



View of the Sheep Mountain Range, North Las Vegas.

### 1.1 SNRPC Guiding Principles

The Southern Nevada Regional Planning Coalition is a forum for regional problem solving and consensus in the region. The Policy Plan developed by the Coalition in 2001 defined six important guiding principles for the region:

- 1) The Southern Nevada region desires to accommodate and take advantage of the benefits of growth, but address the negative impacts of that growth.
- 2) The Policy Plan builds on successful planning being conducted at the local level and through regional agencies such as the Regional Transportation Commission, the Southern Nevada Water Authority, the Regional Flood Control District, and others.
- 3) The Regional Planning Coalition respects local autonomy with regard to site-specific land use decisions and focuses on issues with larger regional impacts.
- 4) The Regional Plan focuses on policies and goals as a way to guide development and deal with impacts; it is not the role of the coalition or this plan to dictate specific locations where growth should occur.
- 5) The Regional Planning Coalition should be used as a forum for regional problem solving.
- 6) Efforts should be made to ensure that actions of federal, state, and regional agencies conform to the Regional Policy Plan. These guiding principles establish the framework around which the plan elements are constructed.

### 1.2 Purpose and Scope of the Open Space Plan

The focus of this report is on the “Greater Metro Las Vegas Valley”. It directly addresses the “Valley” and the surrounding mountain and desert lands visible and readily accessible from the urban areas. An area of intense focus in this study is the belt of open space proximate to the BLM disposable lands boundary per the Southern Nevada Public Lands Management Act of 1998 (SNPMLA) with emphasis on connecting the



Valley to open space opportunities in outlying areas. This report also addresses key open spaces and corridors within the urbanized area. The scope of the Open Space Plan includes:

- 1) Review of existing and proposed plans related to the project and the production of a map of existing and planned facilities.
- 2) Facilitation and discussion with member entities.
- 3) Defining components of “regional open space”, its relationship to local, state and federal facilities and other open space areas, and open space opportunity areas. Provide a map of open space opportunities.
- 4) Investigation and recommendation of strategies for cooperation, acquisition, operation, and maintenance of regional open space.
- 5) Investigation and proposed methods for funding, acquisition, maintenance and operation of regional open space facilities.

### 1.3 Planning Process

The Greenways Incorporated Team (GWI Team) was selected to work with the SNRPC to complete the Open Space Plan. SNRPC asked the GWI Team to prepare a series of deliverables that would serve to define open space and recommend strategies that Coalition communities could utilize to promote the conservation of open space.

GWI Team worked with a specially constituted Open Space Working Group, comprised of representatives from Coalition agencies. The GWI Team produced reports and submitted these for review to the Open Space Working Group, SNRPC Planning Directors, SNRPC Technical Committee and SNRPC Board for review, comment and approval.

### 1.4 Report Description

This report includes the following major components:

- An Executive Summary summarizing the findings and recommendations of the plan;
- An Introduction that presents the guiding principles, purpose, and planning process;
- A review of prior open space planning efforts in Southern Nevada;
- A Definition of Open Space and a description of Open Space functions;
- A Recommended Open Space System, which includes five open space elements, that puts forward a framework and policy guidelines for open space conservation in Southern Nevada and identified opportunity areas;
- Implementation recommendations that define tools and strategies for use in conserving open space in Southern Nevada;
- Appendices that provide an action plan and more detailed information on the tools for conserving, operating and managing open space.

# chapter two

# existing conditions



## Key Points

- **During the past 10 years, there has been a steady production of documents and reports addressing management of growth and resource protection—including open space and trails—serving the Valley and Southern Nevada.**
- **This chapter chronicles the evolution of the planning and conservation process at the federal, state, regional and local levels.**
- **The Southern Nevada Public Lands Management Act of 1998 (SNPLMA) is of particular impact addressing disposal of roughly 52,000 acres of Bureau of Land Management (BLM) lands with the creation of a “special account”, where a portion of land sale proceeds may be used for conservation, parks, trails, and natural areas by local and federal agencies.**
- **The 2002 Amendment to SNPLMA provided an increased role for regional governments in managing the recreational and natural components of these lands and increased the boundary by 22,000 acres.**
- **In 2001, the Secretary of Interior approved the Multiple Species Habitat Conservation Plan permitting development of up to 145,000 acres of land provided there were actions to support the survival (and mitigate losses) of 78 animal and plant species and their wild habitats on public and private lands in Clark County.**
- **In addition to region-wide planning, the local jurisdictions, Clark County and cooperating federal and State partners have been actively pursuing open space, trail and conservation objectives.**

# regional open space plan

## Chapter 2: Existing Conditions

In 2001, the Southern Nevada Regional Planning Coalition (SNRPC) worked to develop the Southern Nevada Regional Policy Plan (SNRPP). The SNRPP Conservation, Open Space, and Natural Resource Element identified a plan priority of “establishing a regional trails and open space plan with a regional funding base, without interfering in the design and provision of local parks by local jurisdictions”. The plan also encourages local jurisdictions to “develop complimentary local trail plans”. These priorities are the basis for the creation of this Regional Open Space Plan. Currently, each jurisdiction does its part to coordinate open space and trails planning, however, the need still exists for a regional open space plan that provides a regional open space strategy and policies that can be used Valley wide.

A regional plan will help provide a strong, valley wide mission, goals, and objectives for coordinating open space and trails planning on an inter-jurisdictional basis, while still providing local jurisdictions with the discretion over their individual open space planning efforts.

During the past 10 years, there has been a steady production of documents and reports that address the management of growth and protection of resources in the Las Vegas Valley and Southern Nevada. In order to move forward with an intelligent and appropriate strategy for developing a regional system of connected open spaces, it is important to understand the recommendations that other plans have proposed. The following documents, agreements and laws each have components that relate to the creation of a Regional Open Space Plan for Southern Nevada. The presentation of these open space and trails planning efforts is organized in the order of federal, state, and local.

### Federal Open Space Legislation, Planning and Documents

The federal government owns much of land in Clark County. Over time portions of this land have been transferred to private and local government ownership. Regulation of these land transfers has been governed by a number of laws.

- a. Recreation and Public Purposes Act of 1926 (R&PP)
  - i. Authorizes the sale or lease of public lands for recreational or public purposes to State and local governments and to qualified nonprofit organizations.
- b. Federal Land Policy and Management Act of 1976 (FLPMA)
  - i. Proclaimed multiple use, sustained yield, and environmental protection as the guiding principles for public land management. BLM manages public lands so that they are utilized in the combination that will best meet the present and future needs of the American people for renewable and non-renewable natural resources.



View of the Red Rock Canyon National Conservation Area.



## CHAPTER 2: EXISTING CONDITIONS

In the late 1990s however, it became critical that new legislation be written to improve the administrative process of continued land transfers. Congress enacted the Southern Nevada Public Lands Management Act of 1998 (SNPLMA) to officially authorize the Bureau of Land Management (BLM) to dispose of approximately 52,000 acres of public land in the Las Vegas Valley.

More Specifically, SNPLMA:

- Created an official disposal boundary and guidelines for selecting the individual parcels that would be auctioned off and the timing for doing so.
- Established the “Special Account”, where a portion of land sale proceeds may be used for conservation and the development of parks, trails, and natural areas by local and federal agencies. Local agencies depend on this account for much needed park & trail development to meet the needs of the expansive growth coupled with a challenge with limited funding opportunities.

In 2002, Title IV of the Clark County Conservation of Public Land and Natural Resources Act amended SNPLMA by providing an increased role for regional governments in managing the recreational and natural components of these lands, establishing the Sloan Canyon National Conservation Area, and increased the boundary by 22,000 acres. The previously listed laws are the fundamental legislation behind the development of open space and trails in the Las Vegas Valley.

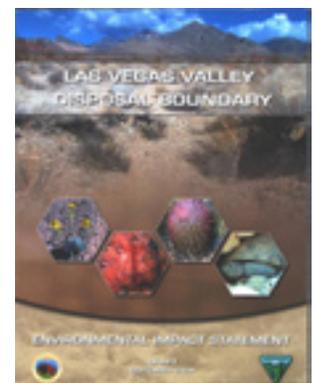
### **The Las Vegas Valley Disposal Boundary Final Environmental Impact Statement, December 2004**

The Bureau of Land Management (BLM) prepared the Final Environmental Impact Statement (FEIS). The FEIS identifies the environmental consequences that may result from the disposal and use if all remaining BLM managed lands within the disposal boundary area are nominated for sale through the auction process. This document identifies methods to avoid, mini-

mize and mitigate potential adverse impacts from the disposal and use of the lands. It presents implications for three scenarios of disposal:

- Proposed Action - leads to disposal of all remaining BLM lands in the Las Vegas Valley by 2015.
- Conservation Transfer Alternative - similar to the Proposed Action, but includes set aside of approximately 5,000 acres of sensitive lands for protection
- No Action Alternative - no current BLM lands are transferred.

The BLM has decided to select the Conservation Transfer Alternative as analyzed in the FEIS as the agency’s preferred alternative. The Conservation Transfer Alternative is also the environmentally preferred alternative. Selection of this alternative will allow the BLM to dispose of approximately 46,700 acres of lands in the Las Vegas



Valley. However, approximately 5,000 acres will be subject to a process of more study, collaboration, further NEPA analysis, as needed, and approval of a conservation agreement, if signed, prior to any transfer of title. Lands would be nominated under SNPLMA; however, any lands in the Conservation Transfer Area (CTA) would be disposed based on restrictions or mitigation measures determined necessary through the conservation agreement process. It is intended that the boundary of the CTA be adaptable to the needs and concerns of interested parties that participate in the development of the conservation agreement, including community land use planning.

The Conservation Transfer Alternative was developed to analyze the impacts of selling certain lands only if disposal can occur with protection of sensitive environ-



## CHAPTER 2: EXISTING CONDITIONS



mental resources and mitigation of significant impacts to those resources. Field surveys were conducted to identify the presence of sensitive biological, cultural, and paleontological resources on BLM lands within the disposal boundary area. The survey results indicated that special status species, cultural resources, natural flood control, and unique paleontological are predominately located in the Upper Las Vegas Wash, which is a natural drainage that could affect development of many acres due primarily to the incised valley floor. The CTA was developed to provide protection and mitigation for these sensitive resources while continuing to dispose of lands as authorized. Currently the CTA contains approximately 5,000 acres of public lands that could be available for disposal.

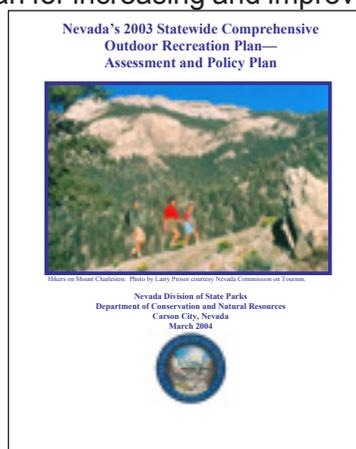
### **State of Nevada and Open Space and Trails Planning**

At the state level, Nevada has completed several open space, recreation, and trails planning documents that aid in the implementation and establishment of open spaces and trails in Southern Nevada. The following are a few of these plans:

#### **Nevada's 2003 Statewide Comprehensive Outdoor Recreation Plan (SCORP) - Assessment and Policy Plan, March 2004**

The Assessment and Policy Plan examines the overall recreation needs and issues of the state and establishes a strategic action plan for increasing and improving the quality of outdoor recreation opportunities in Nevada. According to this plan, the top three outdoor recreation issues in Nevada are:

- Public access to public lands for diverse outdoor recreation



- Funding parks and recreation
- Recreational trails and pathways

The SCORP plan finds that there is a high rate of outdoor recreation activity participation among Nevadans and that Nevadans, on the whole, strongly support the conservation of natural and wilderness areas as well as historic sites and cultural resources. The document also notes the critical importance of the federally controlled lands in Nevada as part of the outdoor recreation resources. The SCORP plan can be used to identify areas for open space and trails planning in the Las Vegas Valley and to pinpoint user groups and activities that should be associated with these areas.

#### **Nevada 2004 State Recreational Trails Plan**

In 2004, the Nevada Division of State Parks created this plan with the goal of increasing and improving the quality of recreational trail activity opportunities in Nevada. The document identified 266 miles of motorized and non-motorized trails across the state and reported that 61% of Nevada residents participated in a recreational trail activity during the 12-month period prior to completion of a survey used to collect data for the plan. Several issues related to trails planning were identified such as lack of funding for trails, lack of support facilities near trails, lack of sufficient information about Nevada trails, and inadequate trail maintenance. This Regional Open Space Plan seeks to eliminate as many of the issues identified as possible to create a more user friendly and sustainable environment for trail users.

### **Regional Planning in Southern Nevada**

Through the leadership of the Southern Nevada Regional Planning Coalition, several open space and trails planning documents have been developed to aid local jurisdictions in the preservation and development of open space and trails.

#### **Urban Land Institute, Las Vegas Valley, Nevada, Livable Las Vegas: Managing Growth in the Las Vegas Valley, October 1997**

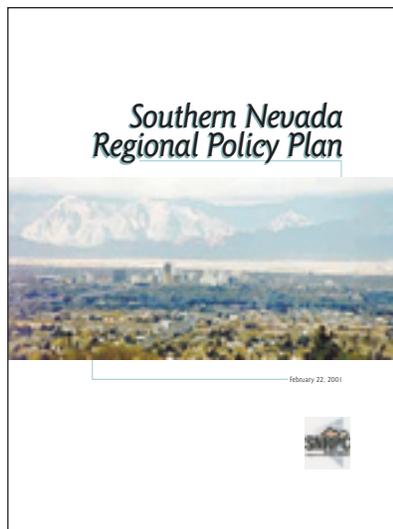
In 1997, the Urban Land Institute was commissioned



to examine the impacts of growth, the expectations of future growth and the approaches available to the Las Vegas Valley to properly manage the growth. The study discusses preservation and enhancement of desert washes as desert riparian habitat and open space. Included is a diagram of an open space network that provides access from local washes to federal lands. In particular, the panel called for a Valley-wide Greenway network that would serve as a multi-functional system connecting people to open spaces, provide biking and hiking opportunities, provide flood protection, and conserve water resources. Additionally, the panel called for open space protection to be, "a major priority in managing the Valley's development." The study also recognized the importance of a regional strategy for open space protection. This Regional Open Space Plan has incorporated the concept of an open space network as a regional strategy to provide open space linkages between the local jurisdictions.

**Southern Nevada Strategic Planning Authority, Strategic Plan to Address Growth in Southern Nevada, 1999**

This report, which was delivered to the 70<sup>th</sup> Session of the Nevada Legislature, is a comprehensive, regional study of 11 economic, environmental, social, safety, and transportation issues. During its work, the Authority identified significant revenue gaps associated with park development. The primary recommendation for



meeting the future need for funds for these activities is to establish a bondable revenue source to supplement the insufficient funds coming from the residential

construction tax. The Authority also found that the overall provision of parks and recreation facilities has not kept pace with the growth of the Las Vegas Valley. The report estimates that an additional 3,800 - 5,100 acres of parks will be needed between 2000 and 2020. Like many other regional plans, this one also called for more regional park and open space planning as well as the inclusion of local trail and open space planning in all local planning documents. As a result of this report, local park and trail planners meet on a quarterly basis with on-going communication regarding new park development, opportunities for joint development, and concerted efforts in the elimination of duplicated facilities/services within the urban valley.

**Clark County Multiple Species Habitat Conservation Plan (MSHCP), September 2000**

The Secretary of Interior approved the Multiple Species Habitat Conservation Plan (MSHCP) effective February 1, 2001. The MSHCP is administered by the Clark County Environmental Division on behalf of the seven co-permittees to the Plan. Based upon the MSHCP, the permittees were given an Endangered Species Act Section 10(a)1(B) incidental take permit (ITP) which provides for the development of up to 145,000 acres of private land within the County over a 30 year period.

The MSHCP covers 78 species of plants and animals and builds upon a previous conservation plan for the desert tortoise. The MSHCP addresses habitat loss and threats to species and identifies

conservation actions to mitigate the losses due to future private land development. The

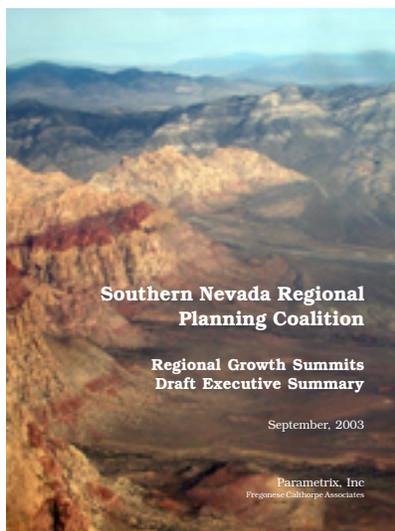




plan will assure that clearly established conservation measures will aid the survival of these species and their habitats in the wild. These actions will occur on both private and public lands within Clark County. Funding for this program comes from a \$550 per acre mitigation fee paid by developers within Clark County, as well as from Section 7 funds derived from development projects on federal lands. Additionally, funds from the Southern Nevada Public Lands Management Act special account are available for the development of the MSHCP.

**Southern Nevada Regional Policy Plan, February 2001**

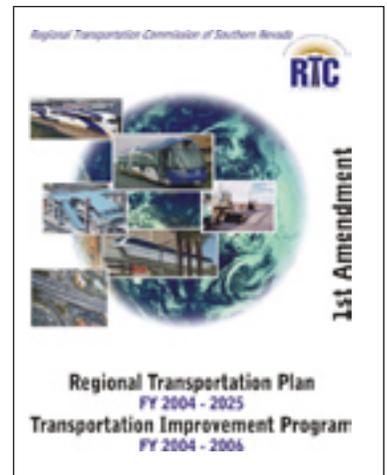
This is a Regional Action Plan and Vision statement created and adopted by the Southern Nevada Regional Planning Coalition (SNRPC) for managing growth cooperatively throughout the Las Vegas Valley. The report was required under the 1999 Assembly Bill 493, passed by the Nevada Legislature, and builds on previous work completed by the Southern Nevada Strategic Planning Authority. It serves as a status report of the region, including comparisons between the Las Vegas Valley and other major metropolitan areas in the Southwest.



The Regional Policy Plan promotes the efficient use of land in the Valley, allowing the conversion of land from rural uses to other uses, and preservation of natural resources. It calls for a regional, trails and open space plan and the implementation of flood control systems that also provide trails and recreational facilities.

**Regional Transportation Commission of Southern Nevada, Non-Motorized Alternative Transportation Mode Master Plan, 2001**

The Alternative Transportation Mode Master Plan (“Alt. Mod Plan”) seeks to extend alternative modes of travel by linking bicycle facilities to the farthest reaching points of transit service, locating new routes within a quarter mile of transit, and, when possible, providing routes within transit corridors. The Alt. Mode Plan is a part of the Regional Transportation Plan



(RTP) for FY 2004-2025. The Bicycle and Pedestrian Element (BPE) (Section 4) of this document is of particular importance to the open space planning effort in the Las Vegas Valley. It provides guidance for the long-term development of bicycle and pedestrian facilities in Clark County and has integrated the goals of the Nevada Bicycle Advisory Board and the TEA-21 goals. These sets of goals call for maximizing safety; enhancing connectivity to schools, recreation facilities, and employment areas; and protecting the environment, promoting energy conservation, and improving quality of life. The BPE promotes the implementation of a network of signed bike routes, bicycle lanes, and shared use paths. Issues such as opportunity, connectivity, trip length, proximity to public facilities, safety, and cost were all factored into the evaluation of locations for bicycle facilities. The Alt. Mode Map has been the primary map used by all of the local jurisdictions to help facilitate connectivity in on and off-street trails planning.



### **Southern Nevada Regional Planning Coalition, Regional Trails Plan**

The primary product of this planning effort is a map that shows a vision for an interconnected regional trail system. The map is intended as a guide for local jurisdictions doing trail planning and for all entities doing transportation planning in the region. The Las Vegas Valley Primary Trail System Map was designed to fit with existing local planning efforts, to promote access to open spaces on federal lands, to link communities and people, and to provide alternative modes of transportation.

### **Clark County Environmentally Sensitive Lands Report, January 2004**

In December of 2002, the Clark County Board of County Commissioners established a broad based, 18-member, Environmentally Sensitive Lands (ESL) Advisory Committee. The Board asked the Committee for recommendations on “developing criteria to identify potentially sensitive lands, establishing priorities to protect. As a result of a series of 14 meetings, the committee prepared this report with several recommendations of how ESL areas should be managed and protected. Recommendation No. 13 suggested “the regional models used for open space districts in other communities should be investigated for use in Clark County as an important potential implementation mechanism for ESL protection.” The report also identified the need for further study of areas within the path of urban growth but outside the SNPLMA Disposal Boundary, especially with regards to impacts on air quality, open space needs and linkages, facility needs, water supplies, and transportation related issues. As it relates to this Regional Open Space Plan, The ESL report helps lay the foundation for the further study of the formation of a more regionally organized open space management structure to help preserve open space and trails resources within Clark County.

### **Southern Nevada Regional Planning Coalition: Regional Growth Summits, Summary Report, March 2004**

In 2003, two years after the Regional Policy Plan was produced, the community held a regional summit/workshop. The Regional Growth Summits Summary Report found that there continues to be a need for and interest in regional collaboration, the creation of a Regional Plan for Parks, Recreation, and Open Space, and identified the need for concurrent planning of land use, transportation, and air quality.

### **Clark County Community Growth Task Force Report, April 2005**

In February of 2004, the Clark County Board of County Commissioners established a Growth Management Initiative to look at key community issues created by the explosive population growth in Southern Nevada. The Commissioners appointed a 17 member Growth Management Task Force of community stakeholders who were charged with studying growth issues, seeking public input, and engaging the community in a frank discussion about current and future growth in Southern Nevada. One of the four core areas, Natural Resource Conservation, identified the need to protect open spaces and natural areas and to expand and encourage joint-use of public facilities in Clark County. The report acknowledged the trend of depletion open spaces in Clark County due to recent development patterns. The report also suggested appropriate zoning adjacent to open spaces and natural areas, creation of a detailed Clark County Open Space Plan that includes a trail element, and the continued inter-jurisdictional cooperation on the formation of the SNRPC Regional Open Space Plan.

The task force had several discussions related to the development of this Regional Open Space Plan. They included concern over the availability of land and how it will impact the development of open space in the valley, evaluation of opportunities to integrate open space with flood control planning, importance of joint oversight of the regional plan to make sure each



## CHAPTER 2: EXISTING CONDITIONS



jurisdiction will follow through on its proposals, and investigate the possibility of creating a regional open space entity. The formulation of this Regional Open Space Plan aims to follow the report recommendation of working with local jurisdictions to design for more accessible recreational space and natural resource enhancements.

### **Clark County Regional Flood Control District, Policies and Procedures Manual, Amended October 2005**

The Clark County Regional Flood Control District is the entity responsible for the master planning of flood control facilities throughout Clark County. The District develops and maintains the Uniform Regulations for the Control of Drainage, which is intended for the purpose of protecting the general health, safety, and welfare of the residents of the District from the hazards and dangers of flooding and inadequate or improper runoff. Hydrologic Criteria and Drainage Design Manual, Section 300 (Drainage Policy) includes the following: "the policy of the CCRFCD shall be to encourage early planning to identify and take advantage of multiple use opportunities afforded by flood control facilities included on the master plan."

The District also produced the Hydrologic Criteria and Drainage Design Manual that includes guidance for the design of multiple use facilities. Multiple use facilities allow for the combination of linear and block flood control facilities to be combined with trails, parks, environmental preserves, and other recreational uses. The Regional Open Space Plan seeks to take advantage of opportunities for multiple use facilities, where possible to ensure the highest level of connectivity within the open space and trails system.

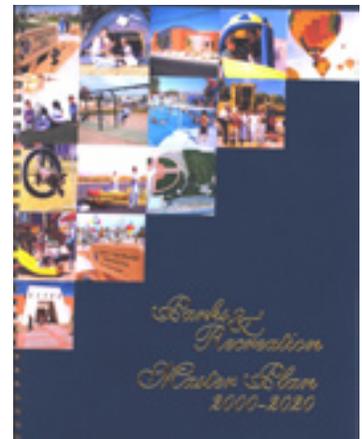
### **Planning for Open Space by Jurisdiction**

Currently each local jurisdiction is responsible for open space planning within their respective jurisdictional boundaries. While several jurisdictions have adopted Open Space and/or Trails plans, others are in the planning stages of these efforts. As each of these

Open Space and Trails plans have developed the level of regional and inter-local cooperation has increased. This cooperation will help achieve a more cohesive and contiguous open space and trails system throughout the region. As members of the Southern Nevada Regional Planning Coalition, each jurisdiction is kept aware of current planning efforts, however, there is a lack of emphasis or analysis of what impacts projects have on each other or what connections could be achieved.

### **Clark County Clark County Parks & Recreation Master Plan, 2000-2020**

The Board of County Commissioners, as an amendment to the Clark County Comprehensive Plan, adopted the Clark County Parks and Recreation Master Plan. The document provides a policy and management framework to guide decision-making related to current and future recreation needs. The plan covers only the unincorporated areas of the county but makes a recommendation to encourage a coordinated approach to multi-jurisdictional park planning and development across the county.



Another key policy recommendation is to acquire park and leisure facility sites now in order to build an inventory of properties that will meet future needs over the next 15 years (to 2020). BLM land is highly sought after for much of this new park and leisure facility development and open space conservation. A portion of the new facilities would include a regional park (parcels greater than 160 acres) within 5 miles of every home in urban Clark County. The plan estimates that \$440 million will be needed between 2000 and 2020 to achieve the park acre per capita goal of 2.5. Many proposed



park sites already exist near currently developed areas.

The plan defines the need for a network of trails. Open space protection under this plan relates primarily to areas that preserve view sheds and environmental amenities. Open space areas are expected to be less than 20% developed for active recreational uses.

Five categories of open space are identified in the plan. These are the Clark County Wetlands Park, 300 miles of ephemeral desert washes, 2,600 acres of land currently administered by the BLM, public lands outside the BLM disposal boundary, and Sunset Park Nature Area. Since the inception of the Master Plan, the department has acquired two additional sites, Gypsum Ridge (1221 acres) and the Clark County Shooting Park (2880 acres).

#### **The City of North Las Vegas Park and Recreational Facility Master Plan Update, 2004**

The Park and Recreational Facility Master Plan Update represents a vigorous commitment by the City of North Las Vegas (CNLV) to expand its parks system and recreation programs over the next ten years. Since 1990, the CNLV has grown in population by nearly 190% to become one of the fastest growing cities over 100,000 in the entire country. By December 2005 the City's population is estimated to be approximately 190,150 with nearly 1,000 new residents arriving per month.

The City of North Las Vegas will strive to offer safe and high quality park, open space and recreational facilities that encourage residents and visitors to live, invest and play in the community. The City is committed to creating recreation programs that promote memorable experiences in resident's lives.

This update to the Master Plan defines and explains the goals of the Parks and Recreation Department. The first goal is to acquire, develop, and renovate a system of parks, recreational facilities and open spaces

that will be available to all segments of the population. The facilities will be functional and aesthetically pleasing public spaces. The second goal is to provide recreation services that promote health and wellness for all citizens in order to create a lifetime user. The third goal is the planning and renovation of city parks that will emphasize water conservation. The final goal is to develop partnership opportunities with other public agencies, not-for-profit agencies and private businesses in the delivery of park and recreational services throughout the City.

The Parks and Recreational Facility Master Plan Update is a valuable tool for the CNLV to manage future growth and development of its park and recreation system. The plan prescribes a course of action that reflects the desires of the residents, and focuses on the development of a superior, diversified park and recreation program.

#### **The City of Henderson**

During 2004, Henderson proactively initiated an Open Space Plan to enhance resident's quality of life by protecting its natural resources while increasing off-street trail connectivity. Based on an analysis of community trends, and a summary of open space opportunities and constraints, the Open Space and Trails Frame-



work Map was developed, which identifies open space and trail opportunity areas according to the following open space categories: 1) Special Places, such as nature preserves, 2) Corridors, such as trails and natural drainage ways, and 3) Edges, which is the zone where existing or future urban development meets the natural desert environment. Creating an Open Space Plan will assist the City in protecting these resources while allowing development to continue. With this plan, Henderson aspires to create a planning environment where development will respect the “desert edge”, and long-term stewardship of the open space system will be provided.

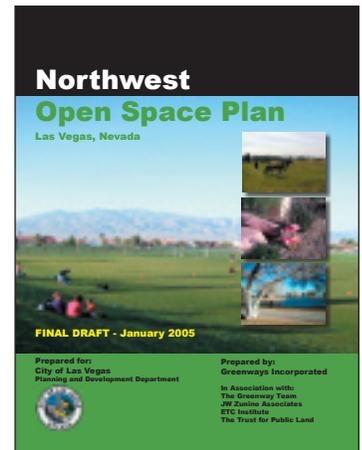
**The City of Las Vegas**

The approximately 50 square miles that make up the Northwest portion of the City of Las Vegas is the region that is experiencing the fastest growth in the City. In order to promote a rational balance of protected open spaces and developed land, the City contracted with the GWI Team to produce an open space plan for that region of the city. Key recommendations of the plan include a goal of protecting 30% of the land in the Northwest region as future open space. These open space lands would be divided into four categories: areas that protect natural systems, active recreational landscapes, historic and cultural areas, trails and greenways. In addition, the plan recommended the creation of a new Northwest Cultural Park near

Floyd Lamb State Park. To implement this protection strategy, the plan suggests changes to the local subdivision ordinance, an acquisition strategy for the most highly valued and most highly threatened open space resources, and the establishment of a new Las Vegas Valley Land Trust.

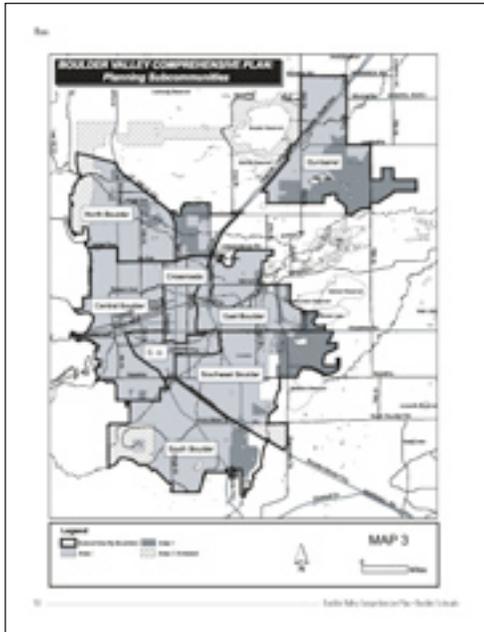
The City of Las Vegas has adopted the following plans for Open Space and Trails Planning:

- Northwest Open Space Plan (Adopted 1/5/05)
- Las Vegas 2020 Master Plan Parks Element (Adopted 3/15/00)
- Las Vegas 2020 Master Plan Transportation Trails Element (Adopted 1/16/00, Revised 1/20/05)
- Las Vegas 2020 Master Plan Recreation Trails Element (Adopted 1/16/00, Revised 1/20/05)



**The City of Boulder City**

Per the *Boulder City Comprehensive Plan*, the city’s *Open Lands* policy addresses sites and areas preserved for natural resource conservation, view protection, buffering non-compatible uses, protecting known wildlife habitat (wherever possible, preservation of natural habitat for wildlife and plants native to the region through compliance with the *Clark County Multiple Species Habitat Conservation Plan* including riparian species), protection of steep slopes or other sensitive areas, and informal active and passive recreation such as unimproved trails for hiking, biking, equestrian, and off-road vehicle use. The city also intends to pursue multiple objective benefits in association with flood control work.



The plan states: “Open lands are primarily located outside of the city’s urbanized area, but may also be located within neighborhoods or other areas of the city where development is not desirable due to steep slopes, poor soil conditions, or other environmental constraints.” The city intends to work in compliance with future sensitive lands protection standards at the time of adoption by the Regional Planning Coalition.

Boulder City has taken a number of important steps to protect and conserve its natural resources including a Growth Control Ordinance in 1979 that, among other objectives, “ensures that the beauty of the surrounding desert will be protected for future generations. Other steps include purchase of over 100,000 acres of the former Eldorado Valley Transfer to help provide the city with an extensive buffer of open space on its south side.”

The city has a policy of “continuing to participate with regional partners, including Clark County, Las Vegas, and Henderson as well as federal agencies on environmental sustainability issues, including transit, air and water quality, protection of floodways and wildlife habitat, and recreational areas and bike

paths.”

*The city maintains a standard for its parks and recreational lands of over 10 acres of park land per 1,000 residents, also has bike paths and lanes on several of its major streets and access to three trail heads, allowing residents and visitors the opportunity to explore the city or the beauty of the surrounding desert on foot or bike with recommendations to evaluate the system periodically. The city has over 50 miles of trails and 84,000 acres of lands protected for multiple species habitat.*

The city plans to review and amend the policies and standards as necessary to meet future adopted policies of the Regional Planning Coalition

The city intends to continue ongoing coordination with representatives from Clark County, Henderson, Las Vegas, the Bureau of Land Management, the Bureau of Reclamation, the Lake Mead National Recreation Area, and other regional partners on the extension of the River Mountains Loop Trail and other regional trail opportunities and wants to continue to pursue outside funding sources for future regional trail connections, such as funding available through the Southern Nevada Public Land Management Act.

### **Regionally Significant Open Space Resources in Southern Nevada**

Residents of Southern Nevada benefit from a variety of open spaces, including parks, municipal or county managed natural areas, and trails. The Las Vegas Valley is also surrounded by federal lands that provide a natural backdrop of open lands. There are a number of currently identified Regionally Significant Open Space Resources in the Las Vegas Valley that are protected at various levels, as follows:

#### **Clark County Wetlands Park**

In 1991, residents of Nevada approved a \$13 million Wildlife and Parks Bond to construct and operate a Wetlands Park in the Las Vegas Wash. In 1995, the Clark County Department of Parks and Recreation



prepared a master plan for the wetlands park. The Clark County Wetlands Park is now a major recreation and education facility combined with a natural area preservation and restoration component. Classes and guided tours are offered regularly, and the growing trail system serves nature watchers, walkers, runners, and in some areas, cyclists and equestrians. The natural area restoration revolved around the construction of “hard” facilities such as dams and permanent erosion blockades as well as “soft” modifications such as removal of invasive species and the planting of local species of vegetation to support intended wildlife uses and promote water quality improvements.

### Clark County Shooting Park

The Clark County Shooting Park will be the largest public recreational shooting range in the country. The park will be located on the north side of Moccasin Road between Decatur and Buffalo. Coupled with the development of a state of the art range, 440 acres surrounding the range is set aside for open space preservation as important cultural and biological resources are noted throughout the area. The western portion of the overall land parcel is part of the Las Vegas Shear Zone, a right-lateral zone of slip that was active during the Pliocene Epoch, approximately five million years ago.

### Gypsum Ridge

As part of the efforts to preserve lands within and adjacent to the Red Rocks Canyon National Conservation Area, the Red Rock Canyon National Conservation Area Protection and Enhancement Act of 2002 was passed and approximately 1250 additional acres of this land was



View of Gypsum Ridge.

selected and conveyed to Clark County Department of Parks & Recreation for the purpose of public parks, trails, and open space preservation. The majority of the land is identified as open space and part of the regional trail system in the Parks and Recreation Department Master Plan 2000-2020. Steep slopes, view sheds from the Urban Las Vegas Valley, and important cultural and biological resources best characterize the area.

### Las Vegas Springs Preserve

The Las Vegas Springs Preserve is a 180-acre site located just west of downtown Las Vegas. The area, historically known as “Big Springs,” is rich with cultural and biological resources unique to Southern Nevada. The site is being developed into an interpretative center where people can learn about the valley’s unique history and environment. Upon completion, the site will include museums, sustainability exhibits, gardens, walking trails, an outdoor amphitheater, a desert wetland habitat and restored structures that tell the story of Las Vegas’ past.

### McCool Regional Park

McCool Regional Park is a 160-acre site, in the City of North Las Vegas. Formerly, its main recreational use was a radio controlled model plan airport. The site also formerly contained a xeriscape orchard research facility. The property is leased from The Bureau of Land Management (BLM) with the current lease set to expire October, 2006. The City is eligible for one additional 10-year extension. The extension is not automatic and the determining factor is progress on developing the site.

The planning for the park includes continuation of the research facility, landscaping around the model airport area and 40 acres as a site for a nature park. The city is considering either purchase of the property or investing a minimal amount of funds to get an extension granted for an additional 10 year lease. Currently regional park acreage is the most deficient type of park acreage in the City.



**Floyd Lamb State Park**

Floyd Lamb State Park is one of the most exceptional landscapes in the Metro Area both in terms of its physical features and its cultural heritage. The 2000-acre park was acquired by the State of Nevada in 1977 and since has been operated by the Division of State Parks. It was formerly the site of Tule Springs Ranch and is an unique oasis in the vast desert landscape of Southern Nevada offering the solace of ponds and wooded areas. The site has four stocked fishing ponds, walking paths, picnic areas and other light-use recreation facilities such as horseshoes.



View of ponds at Floyd Lamb State Park.

The area offers an outstanding example of a Pleistocene paleontology—one of the best sites in North America. Fossils of bison, mammoth, camels, and other species have been found here. Tule Springs served as a water source for Indians and prospectors.

Fishing is a very popular activity here. In addition to its history as a cattle and farming ranch, it was a guest venue for people seeking divorce under Nevada’s liberal divorce laws. A number of individuals from out of state, some well known, resided here in order to comply with residency laws.

Largely, under-improved, The City of Las Vegas has been exploring plans to restore and enhance the site. The City is also in the process of securing ownership of the Floyd Lamb State Park.

**Black Mountain Regional Preserve**

The northern McCullough Range is the most distinctive, visible landscape features in the southern

portion of the Valley and forms a backdrop for the City of Henderson. The northwestern slopes of the Black Mountain are visible throughout the Las Vegas Valley and it is a central focus point for tourists approaching Henderson on the I-215 and US-95 freeways. It is also one of the only areas within Henderson where one can view bighorn sheep for several months of the year. For this and other unique qualities, Black Mountain was repeatedly identified as a high priority for conservation by the public through the development of the Henderson Open Space and Trails Plan.

The City owns approximately 1377 acres of vacant land on the northeastern side of Black Mountain that is adjacent to the Sloan Canyon National Conservation Area. The protection of this area, which is referred to as the Black Mountain Regional Preserve, would protect natural and aesthetic values of community-wide significance while providing opportunities for nature-oriented activities and passive recreation. Henderson plans to complete a management plan for the Black Mountain Regional Preserve within the next year.



View of Black Mountain.

**Canyons Conservation Area**

Henderson has designated a 470 acre portion of Black Mountain, the Canyons Conservation Area, as open space. The land was transferred from the property owner to the City as part of the development agreement process for the Canyons project. Deed restrictions on the land restrict the use to those compatible with the City’s Open Space and Trails Plan. Henderson plans to develop a trails system within the conservation area in the future.



## CHAPTER 2: EXISTING CONDITIONS



### **Bird Viewing Preserve**

Officially dedicated in May 1998, the 90-acre Bird Viewing Preserve includes lagoons, ponds, and reclaimed water facilities that provide a protected nesting and feeding habitat for over 200 resident and migratory bird species. The preserve utilizes the Henderson Wastewater Reclamation Facility (WRF) evaporation ponds, which attracts thousands of migratory birds and numerous resident desert birds. The Preserve provides an opportunity to educate visitors on birds and the importance of conservation.

### **Bootleg Canyon**

Bootleg Canyon is a popular recreational area located near Boulder City offering over 40 miles of single-track mountain biking trails, including highly technical and World Cup caliber courses. Described as “Mountain Bike Heaven” by the back country biking community, this 42 acre area is both a local and international destination. Bootleg Canyon has been recognized by the International Mountain Biking Association (IMBA) as having the prestigious “epic” rating and is at the top of many mountain bikers’ “must-ride” lists. National Geographic Magazine has also ranked Bootleg Canyon as one of the top 50 locations for mountain biking in the United States. In addition, Bootleg Canyon is the

location of Interbike, a 3-day event attended by over 3,000 visitors from across the nation. A part of the River Mountains area, facing Boulder City this area is also visually significant and vulnerable. Boulder City plans to expand Bootleg Canyon to include approximately 1,500 acres of additional open space.

In addition, the entrance to Bootleg Canyon will be expanded to include a 90-acre park, which will include 40 acres of botanical gardens, an amphitheater, a riparian walk, and 15 acres of restored Mojave Desert habitat. The Bootleg Canyon Park theme will educate users about the America’s four deserts, the Sonoran, Mojave, Great Basin, and Chihuahuan, to foster an appreciation of desert habitat among park visitors.

### **North Las Vegas Conservation Transfer Area**

During 2005 and 2006, a working group of local stakeholders has been convened to examine and discuss the Conservation Transfer Area that is within the City of North Las Vegas jurisdiction. The group has formulated goals and objectives for this transfer area, which are defined below. Of particular interest is the large native Bearpoppy and Buckwheat plant communities that are native to this landscape.

#### Conservation Goals and Objectives- Upper Las Vegas Wash Conservation Transfer Area:

- A. Insure long-term viability of the Las Vegas Buckwheat and the Las Vegas Bearpoppy in sustainable natural populations within the boundaries of the Conservation Transfer Area (CTA).
- B. Preserve the ecosystem of the Upper Las Vegas Wash in its natural state.
- C. Maintain or enhance the unique biological, paleontological, geological, and cultural resources through conservation, management, recovery, and mitigation while ensuring consistency with the Biological Opinion, State Historic Preservation



View of Bootleg Canyon.



Office consultation, Federal Land Policy and Management Act, and Clark County Multiple Species Habitat Conservation Plan.

resources, management responsibilities, and funding sources.

#### **Desert Tortoise Conservation Easement**

Under the long-term Clark County Desert Conservation Plan, Clark County was allowed to purchase a conservation easement from Boulder City. In 1994, the City of Boulder City granted a conservation easement on 85,000 acres of land that was previously acquired from the Colorado River Commission of Nevada. The land is to be preserved and protected for desert tortoise and other species as partial mitigation for the development of lands in the Las Vegas Valley.



View of the Bearpoppy plant.

- D. Promote scientific research within the CTA, including studies for the Las Vegas bearpoppy and Las Vegas buckwheat as well as for cultural, geological, and paleontological resources.
- E. Provide compatible educational, recreational, and interpretive opportunities in order for the public to enjoy and appreciate the unique resources.
- F. For necessary utility/transportation alignments and flood control facilities, identify locations that are compatible with sensitive resource conservation goals and design them to minimize impacts.
- G. Develop an effective and simple conservation strategy by the end of 2005, which identifies appropriate long-term management of sensitive



**Table 2.1** below summarizes existing and planned regionally significant open spaces.

Existing and Planned Regionally Significant Open Space	Potential Acreage
Clark County Wetlands Park	2,880
Clark County Shooting Park	440
Gypsum Ridge	1,221
Las Vegas Springs Preserve	180
McCool Regional Park	40
Floyd Lamb State Park	2,000
Black Mountain Regional Preserve	1,350
Canyons Conservation Area	470
Bird Viewing Preserve	90
Bootleg Canyon	1,632
North Las Vegas Conservation Transfer Area	300
Desert Tortoise Conservation Easement	85,000
<b>TOTAL REGIONALLY SIGNIFICANT OPEN SPACE</b>	<b>95,603</b>

Note: Some of the lands listed in this table are permanently protected, while others are not.



**SNRPC Regional Trails System**

There are a number of regional trails throughout the Las Vegas metropolitan area that were previously identified through the SNRPC Regional Trails Plan process. These trails serve a broad base of users and form part of a potentially larger integrated network that cross jurisdictional boundaries. When complete, the regional trails system may include up to 1,000 miles of trails. Examples include the River Mountains Loop Trail, a 36-mile facility surrounding the River Mountains that will link the City of Henderson, Clark County, Lake Mead Recreation Area, Hoover Dam, and Boulder City.



Residential trail in Henderson, Nevada

# chapter three

## open space defined



### Key Points

- **This plan defines open space as:** *“...land that remains largely unaltered by urban activities not converted to other uses providing the opportunity for solace in a natural or naturalistic environment...possessing outstanding scenic quality, rare flora, riparian quality, wetlands, critical wildlife habitat, fragile areas or unusual geologic or topographical formations...of adequate size and quality to achieve benefits such as flood hazard reduction, conservation, preservation, outdoor education and low impact recreation....”*
- **The open space planning process looked to the definition of open space found in the Nevada Revised Statutes (NRS 376A.010) as a foundation for the above definition more specific to Southern Nevada.**
- **Open space has vital functions and benefits including:**
  - **Public Safety and Hazard Reduction**
  - **Vital Urban Resource Protection**
  - **View Preservation**
  - **Solace and Link to Nature**
  - **Health and Wellness**
  - **Access and Linkage**
  - **Biodiversity**
  - **Special Landscape Preservation**
  - **Agricultural Lands Preservation**
  - **Economic Value**
  - **Community Identity and Character**

# regional open space plan

## Chapter 3: Open Space Defined

The Nevada Revised Statutes (NRS 376A.010) defines open space as “land that is undeveloped natural landscape, including, but not limited to, ridges, stream corridors, natural shoreline, scenic areas, viewsheds, agricultural or other land devoted exclusively to open space use and easements devoted to open space use that are owned, controlled or leased by public or nonprofit agencies.” Using the NRS definition as a foundation, the Open Space Plan Working Group and consultant derived the definition that follows— tailored to the landscapes, character and community values of Southern Nevada and the Greater Metro Las Vegas Valley



View of Clark County Wetlands

### 3.1 Definition of Open Space

In Southern Nevada, *Open Space* is land that remains largely unaltered by urban activities. Generally, it is land that has not been converted to other uses and it provides the opportunity to experience solace from urban development in the midst of a natural or naturalistic environment. These lands may also possess unique values such as outstanding scenic quality, rare flora, riparian quality, wetlands, critical wildlife habitat, fragile areas or unusual geologic or topographical formations. When set aside, assembled, configured and maintained these lands are of adequate size and quality to achieve the intended infrastructure functions such as flood hazard reduction and benefits including conservation, preservation, outdoor education and low impact recreation. Open space may consist of: desert; mountains; special geological and topographical features; meadows; wetlands; washes; lakes; working agricultural and ranch land; and other valued landscapes and ecosystems.

The Regional Open Space Plan will focus on those open spaces that are regionally significant and meet the following criteria:

- Values or resources associated with the open

space site transcend jurisdictional boundaries;

- Consists of a substantial number of acres or, if a smaller site, has special natural or cultural landscape features of regional significance;
- Potentially attracts visitors from the entire region or from outside of the Valley; or
- Provides historical preservation, resource conservation, visual, wildlife, botanical or passive recreational opportunities that benefit the region.

The SNRPC Open Space Plan envisions the creation of an inter-connected, integrated, managed open space system called the **Vias Verde Las Vegas** providing a scenic backdrop with vistas and recreational trail opportunities that shapes the future character of the greater metropolitan Las Vegas Area.

### 3.2 Sub Categories of Open Space

The Working Group agreed that the current definition of Open Space, as provided by Nevada Statutes (NRS 376A.020), provides a functional definition that should be used by Southern Nevada communities to implement the open space program. As defined by NRS, The Working Group further agreed that there are



five important subcategories of open space that should be part of the Regional Open Space Program. They include the following:

- Resource Protection lands
- Environmental lands
- Historic and Cultural lands
- Flood Control facilities
- Recreation lands

Each of these subcategories of open space were defined and identified as important functional classifications of open space. This led to a more thorough articulation of the functions of open space and why it is an important component of the Southern Nevada landscape.

### 3.3 Functions of Open Space

Open space is “natural infrastructure” that provides a number of important functions and benefits for the Greater Las Vegas area. Different types of open spaces in and around the developed area of Southern Nevada provide benefits depending on the nature of the open space, location and other factors. Many open spaces provide multiple benefits while others, such as wildlife areas, may have specific but limited functions though nonetheless very important. Following are key identified functions and benefits.

- **Public Safety and Hazard Reduction**—reduces risk to life and property associated with lands prone to floods, landslides, and fires or other constraints such as steep slopes, unsuitable soils, and wetlands that make lands unsuitable for urban development for public safety or health reasons.
- **Vital Urban Resource Protection**—including maintaining water supplies, preserving water quality, filtration of wastewater and enhancing air quality. These may also include corridors for drainageways and utility rights-of-way as well as attenuating noise along highways or security zones around airports or military reserves.
- **View Preservation**—protects scenic backdrops.
- **Solace and Link to Nature**—provides accessible places for relaxation, contemplation and quiet. (Studies show that both physical and mental health improve where urban dwellers have access to “green spaces” and natural areas.)
- **Health and Wellness**—offers accessible places that promote and facilitate passive recreational uses such as hiking, biking, and jogging.
- **Access and Linkage**—provides residents access to open spaces and open space networks. Links open spaces together into contiguous functioning networks and systems.
- **Biodiversity**—conserves diverse and healthy biological systems including both flora and fauna.
- **Special Landscape Preservation**—protects unique and irreplaceable landscapes, geological formations, cultural resources and sacred places.
- **Agricultural Lands Preservation**—protects existing and potential future agricultural resources including working croplands, orchards and ranch lands.
- **Economic Value**— provides economic benefits as a result of preservation including tourism, property value protection and enhancement and attracting business and industry.
- **Community Identity and Character**—shapes and defines urban form including relief from urban sprawl, separation of large urban expanses and creating a sense of readily accessible (or viewable) open space from residences and businesses

# chapter four

# open space components



## Key Points

- **This plan recommends five components that, if realized, will preserve the vital outdoor elements of the Greater Metro Las Vegas and leave an enduring legacy. These components are:**
  - **The Mountain and Desert Backdrop (Preserving the viewscales and wildlands that encircle the Valley)**
  - **The Vias Verdes (designing an attractive transitional belt between the Backdrop and the urbanizing area encircling the Valley including an interconnected trail system)**
  - **The Washes (Preserving and enhancing the drainageways as attractive corridors with attractive landscaping and trails where appropriate.)**
  - **The Regional Trails Network (An interconnected multi-use trail system running through attractive open space corridors)**
  - **Regionally Significant/Heritage Open Space (Preserving special landscapes of scenic, natural or cultural value throughout the Valley)**
- **An opportunities map at the end of this chapter conceptually depicts how the five components will help shape the future character of the Greater Metro Las Vegas Valley.**

## Chapter 4: Open Space Components

Using the Open Space definition and functions described in Chapter 3 as a foundation for this Plan, the Open Space Working Group and the consultant developed an open space framework for Southern Nevada. Based on the planning process with the Working Group, the following open space components are defined for the greater Las Vegas metro area. These five components, if realized, will preserve the vital outdoor elements of the metro area and Southern Nevada, and leave an enduring legacy for residents and visitors alike. These components best describe the unique opportunities and benefits to be gained for a greater metropolitan area as it matures as well as offering important urban infrastructure functions and recreational benefits.

It should be noted that these components emphasize a vision that reflects the unique character and opportunities of Southern Nevada. As certain components of this system come on line they will also increase the quantitative benefits of open space and open space accessibility to Metro Area residents.



Aerial view of Black Mountain

### 4.1 The Mountain and Desert Backdrop

This is a belt of largely wild places and rugged terrain with special scenic, natural resource and recreational values that virtually surrounds Greater Las Vegas. These are mostly lands under the control and management of the federal government (National Park Service, Bureau of Land Management, Forest Service and Military Lands) but also includes state lands, county and local public lands, privately held properties and the Paiute Reservation. These lands protect significant recognizable natural habitat, as well as visual, historic and cultural values. They are large enough to sustain and support diverse plant and animal populations. Importantly, these lands also form the very distinct, beautiful and highly vulnerable visual backdrop for the entire Metro Area. This scenic feature is so far largely unscarred but easily prone to degradation.

#### Planning Objectives

Create a legacy! Preserve an interconnected protected ring of open space and wildlands encircling the Greater Las Vegas area including protecting the visual backdrop and View Corridors. Promote cooperative agreements and management polices that protect the integrity of these lands, especially the protecting the visual backdrop from scars, structures, towers and other visual impacts through: protective restrictions; land acquisition; strategic location of structures to minimize view impact; camouflage, or, where necessary and appropriate, land acquisition.

#### Management Objectives

Depending on the objectives of the respective landowners, some of these lands are managed primarily for view preservation and conservation purposes with emphasis on resource protection; while others are managed to accommodate recreational uses consistent with the goals of this component. Special attention is paid to urban transition area while



View of a portion of the Vias Verdes, Henderson, NV

more sensitive Backdrop lands, provide a pleasant, attractive buffer open space and a construct a continuous Open Space Trail encircling the entire Las Vegas Metro Area. Portions of this belt would be left in its natural state, while other area will be restored or improved with regionally adapted landscaping.

**Management Objectives**

Manage primarily as an urban transition area with maintained interconnected regional trails and connecting open space corridors. Keep area free of debris and weeds; restrict damaging activities, patrol, and groom. Work with adjacent property owners and residents to coordinate activities and minimize conflicts and adverse impacts.

these lands interface with developed or developing areas. Build enduring cooperative stewardship agreements and coordination protocols – with specific written guidelines – among the various landowners and agencies.

**4.2 The Vias Verdes**

This is the transitional belt between the **Backdrop** of mostly federal lands and the urbanizing area. Generally this is the more gently sloping land between the steeper, more sensitive terrain of the surrounding wildlands and the developed and developing areas of the Metro Area. This corridor varies from a few feet (where already restricted by development) to two to three or more miles in width depending on available space. This land serves both as a buffer to protect the more sensitive lands of the Backdrop and offers recreational belt with an interconnected trail and managed landscape corridor that encircles the Valley.

**Planning Objectives**

Working in cooperation with public and private landowners, secure a continuous open space ring around the Metro Area of adequate width to protect



View of Las Vegas Wash, Henderson

**4.3 The Washes**

These are the drainageways and flood corridors that flow from the foothills through the developed communities. They may vary in width from less than 100' to 1000' or more depending on the terrain, flows and other factors.

**Planning Objectives**

In more undeveloped areas the goal is to keep these



## CHAPTER 4: OPEN SPACE COMPONENTS



areas wide enough to accommodate at least the 100-year storm event as well as accommodating the natural geomorphology (meandering) of the terrain. In some instances where development in the watershed has increased flows, site-appropriate engineering (such as detention basins, channel armoring, and drop structures) may be necessary to manage flows and control erosion. These should be as natural appearing as possible. In more developed areas the goal to retrofit the existing hard-lined channels to create more attractive corridors and accommodate local and interconnected regional trails (also serve as floodway maintenance roads) where safe and feasible. In new large-scale developments improve and manage these corridors as amenities with regionally adapted landscape—such as Summerlin. Planning for these corridors should also envision the edges of these corridors where these drainage ways interface with development considering erosion control, regionally adapted landscaping and other measures so that these corridors provide multiple benefits to the community.

### **Management Objectives**

Manage for dual-purpose recreational access and stormwater management infrastructure benefits, providing trails and connecting corridors of open space where appropriate. Work cooperatively with the local public works and park and recreation agencies to appropriately allocate management functions. Establish an inter-agency and interdisciplinary group to design and facilitate multi-objective drainage channels that accommodate recreation, wildlife habitat and migration, urban beautification and other benefits along with drainage and flood hazard reduction.

### **4.4 Regional Trails Network**

Envisions an integrated, interconnected regional trails (the trails are primarily in attractive open space corridors) network linking the Vias Verde that encircles the entire Metro Area with links to neighborhoods via the washes, creeks and other pleasant easy-to-access and use trail corridors. The trail system serves both local shorter trips as well as long distance treks to

outlying destinations or around the entire Valley. Most of the trail system will be on public lands though some segments may be on homeowner association property. The trails are developed for bicycle, equestrian, pedestrian and multiple use as appropriate. These are trails open space corridors that serve recreational and/or conservation purposes linking neighborhoods and activity centers to the Metro-wide open space and trail system. The system, may also include natural corridors such as washes or created corridors such the proposed Spring Mountain Corridor in Northwestern Las Vegas.



A portion of the Regional Trail Network, Northwest Las Vegas

Where appropriate, they link larger open space areas together and close gaps. Ideally, these corridors are enhanced with attractive regionally adapted landscaping or kept in a natural state where feasible. Recreational uses may include trails, trailheads, and interpretive facilities. Conservation and infrastructure objectives may include preserving wildlife habitat and/or routes of wildlife circulation.

### **Planning Objectives**

Create a metro-wide, accessible, interconnected open space trail network. Optimize opportunities for neighborhood access to the regional open space system and the Vias Verde by providing a network of readily accessible Open Space Trails and Connecting

Corridors. The Regional Trails network should emphasize trails that are located within open space corridors.

**Management Objectives**

Keep trails well maintained, clean, groomed and patrolled to accommodate the respective uses. Design to minimize conflict among different user groups. Work cooperatively with homeowner associations for joint use and cooperative management where trail system passes through a development. Work in cooperation with other participating jurisdictions including: local public works and parks departments, highway and road departments, Metro Police and utility companies to carry out respective management functions.

**4.5 Regionally Significant/Heritage Open Space**

These are sites and landscapes of regional significance that can be newly designated regional open space sites, such as an environmental park, a nature preserve or wetland park, or a natural area that also includes historic or cultural significance, and are highly valued for ecosystem conservation and public use. This category also includes cultural and historic landscapes in the Metro Area such as Las Vegas Springs Preserve, Floyd Lamb State Park and Lone Mountain Park that are not part of the larger continuous system but are exceptional historic and cultural places that are key to preserving an important part of the Las Vegas Valley history and settlement pattern.

**Planning Objectives**

Through regional designation, determine the location, acquisition and development of regionally significant open space sites. Each site should serve primarily an ecological purpose and may also include managed public access and use. Identify important and distinct sites or acquisition opportunities in the Metro area and acquire, protect and enhance these properties.



View of a Regionally Significant/Heritage Open Space, the Floyd Lamb State Park in Northwest Las Vegas

**Management Objectives**

Manage as appropriate to the character and intended use of each respective open space parcel. Conserve native ecosystems and landscapes that otherwise would not receive attention due to lack of a compelling threat to the environment. Where applicable, manage to protect the special cultural and historic values. Some sensitive areas such as those that contain special ecosystems, artifacts or vulnerable geological features may have limited or no public access..

**Regional Open Space Opportunities  
Conceptual Map**

The map on the following page presents a conceptual framework for open space in the Las Vegas Valley based on the defined components. Due to the need for future necessary coordination with federal agencies and other stakeholders to detail the configuration of the Vias Verde and other elements of the Plan, the map does not depict exact locations of the potential open space areas and corridors.



mountain and desert backdrop



vias verdes



the washes

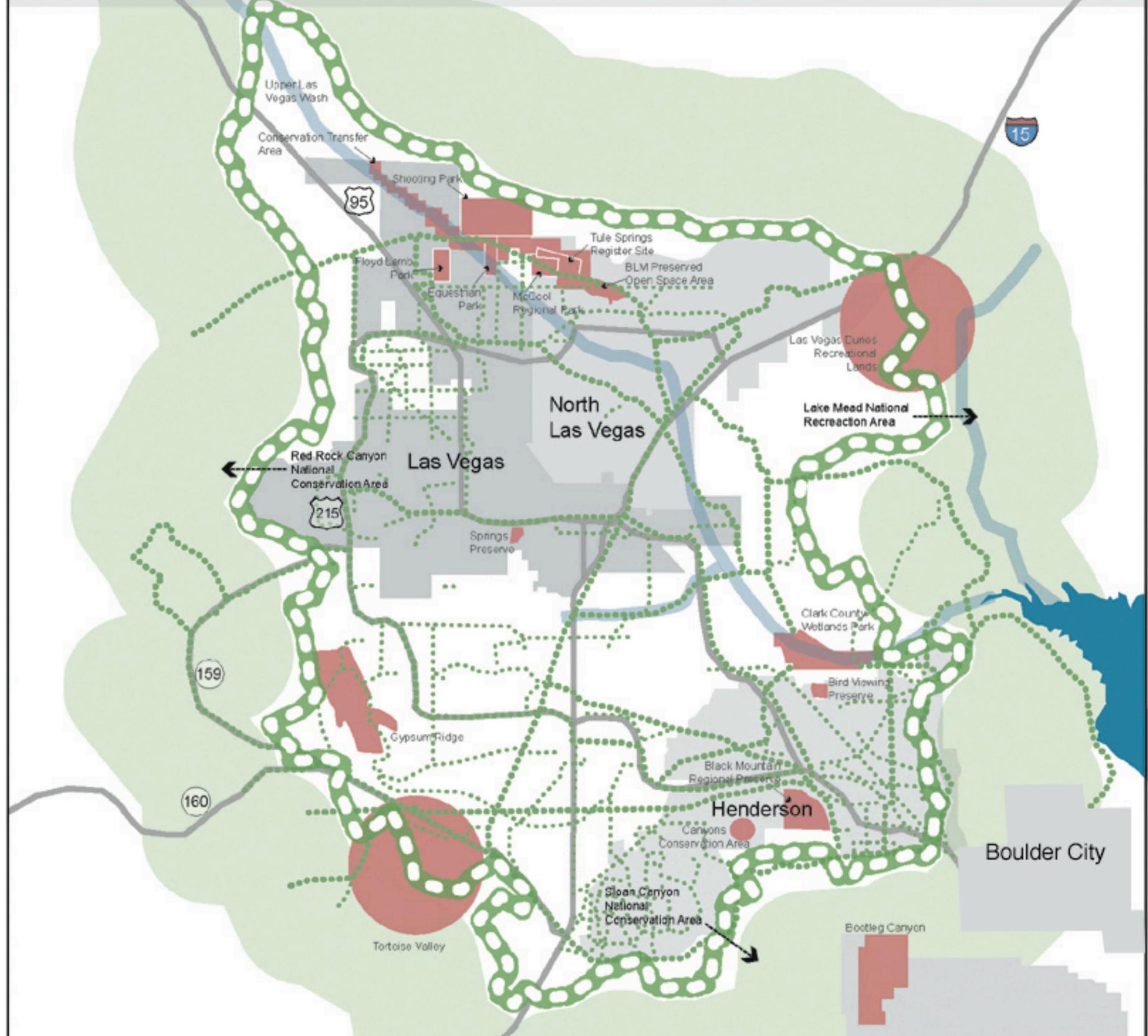


regional trail network



significant open space/heritage site

# REGIONAL OPEN SPACE PLAN:



# OPPORTUNITIES CONCEPT MAP



## LEGEND

- mountain and desert backdrop
- the vias verdes
- the washes and native arroyos
- regional trails network
- regionally significant / heritage open space
- major roads



Note: This is a conceptual map depicting an overall vision. Shaded areas and lines show general vicinities and not literal parcels. Site specific mapping will be a first step in the implementation process.

**GREENWAYS**  
INCORPORATED

Landscape Architecture  
Multi-Objective Trail Planning  
Open Space Planning

# chapter five implementation



## Key Points

- **Organizational options:**
  - **Create a forum of metro jurisdictions and stakeholders.**
  - **Designate a funding source with assigned staff and leadership.**
  - **Create an open space authority with funding.**
- **Recommended immediate steps:**
  - **Create a GIS mapped inventory**
  - **Identify the most vulnerable landscapes**
  - **Enlist special interest and user groups**
  - **Strengthen communication between local entities**
  - **Work cooperatively to promote valley wide open space**
  - **Promote multi-objective efforts with the Flood Control District**
  - **Create stable sources of revenue for open space conservation**
- **Promote Partnerships:**
  - **Establish the Southern Nevada Open Space Partnership**
  - **Organize a community outreach program**
- **Maintain timeframe:**
  - **Compliance with appropriate past studies**
  - **Implement an update program**
  - **Monitor changes and progress with quarterly updates to SNRPC Board**
  - **Review and update plan every 5 years**

# regional open space plan

## Chapter 5: Implementation

The recommendations of this plan and the plans and studies that have led up to it are visionary. Indeed, this is an important decision point in the history of the *Greater Metro Las Vegas Valley* with respect to conservation of its open space, natural lands and scenic heritage. A number of actions and events are profoundly impacting Southern Nevada such as expansive growth in the region, the BLM lands disposal program and burgeoning land costs, as well as the formation of open space focused non-profit organizations such as Outside Las Vegas. These changes present important opportunities timely action. However, the implementation of a regional open space strategy for Southern Nevada will be a challenging undertaking.

While the SNRPC has made open space conservation a priority from a planning perspective, the difficulty lies in how to actualize the desire for improved open space conservation in a timely and effective manner, given the rapid rate of growth and change that is occurring. Through the planning process, a variety of methods and implementation strategies designed to advance the open space opportunities were identified. The Working Group examined approaches for achieving cooperation, acquisition, funding and cost-effective operations and maintenance of a regional open space system in Southern Nevada. The conclusion and findings of this examination are summarized in the following recommendations.

### 5.1 Organizational Structures

There is a need for moving forward expeditiously with effective implementation of this plan. This should be pursued in a logical series of steps. There is a range of options, based on successes here and in other communities around the nation, that the SNRPC Board should consider:

#### Proactive Approaches

Create and facilitate a “forum” of Metro jurisdictions and stakeholder entities to pursue implementation.

Create an obligated funding source earmarked for specifically assigned staff and Board leadership to pursue implementation of the plan.

Create a special “open space district” or “authority” with adequate funding to pursue the initiatives of this plan.

#### Current Approaches

Leave the effort to local entities and stakeholders and encourage working in an “ad hoc” manner to “make things happen”.

The interagency working group looks to the SNRPC Board as to specific direction as to how to pursue realization of this plan. The time is right. Indeed, the time is critical. The vision is offered in this plan. Continuing coordination and leadership is key to successful implementation.



Desert poppies in bloom in the northeast part of the Valley.



<b>Organizational Structure Alternatives</b>	<b>Funding Commitment</b>	<b>Staff Resources</b>	<b>Benefits</b>
<b>Proactive Approaches</b>			
A. Create and facilitate a “forum” of Metro jurisdictions and stakeholder entities to pursue implementation.	Low to Medium	Designated Coordinator 1-FTE	Can catalyze action. Builds partnerships and engages the key stakeholders.
B. Create an obligated funding source earmarked for specifically assigned staff and Board leadership to pursue implementation of the plan.	Significant Need an identified revenue source.	Implementation team, program and grant administrators to manage. 2 to 3 FTE’s to start. Larger in future	Strong incentive to initiate and sustain the program. Resource to support timely implementation. This step could be the second phase of effort after “A” above. Very successful in other metro areas.
C. Create a special “open space district” or “authority” with adequate funding to pursue the initiatives of this plan.	Significant Need an identified revenue source	Implementation team, program and grant administrators to manage. 2 to 3 FTE’s to start. Larger in future	Has the most “muscle” but may be difficult to implement and sustain given that there are myriad land managers and stakeholders involved.
<b>Current Approach</b>			
D. Leave the effort to local entities and stakeholders and encourage working in an “ad hoc” manner to “make things happen”.	Minimal cash cost	Commitment of stakeholder agency staff time for meetings and follow up.	Least likely to be effective. Risk the degradation of vital landscapes, views and recreational opportunities for present and future generations.

## 5.2 Regional Open Space Strategies



The Sheep Mountain Range is part of the Desert Mountain Backdrop.

### 5.2.1 Desert and Mountain Backdrop Protection Strategies

#### **Recommendation 1: Protect sensitive areas and landscapes.**

These are the most sensitive and vulnerable lands and a high priority should be placed on their preservation. While some of these areas are protected through existing federal agency policies and guidelines, others may not be or protections might be vulnerable. A first important action should be for the applicable federal land managers, state agencies and local community representatives to convene, identify the most vulnerable landscapes and work draft policies to protect these resources. There are a number of successful models of protecting such lands proximate to major urban areas elsewhere including the San Francisco Bay (creation of the Bay Conservation Development Commission BCDC by State Legislation), the Santa Monica Mountains NRA in California and the Boston Islands Alliance in Massachusetts.

This effort could also include the expansion of the National Landscape Conservation System (NLCS). Red Rock and Sloan's Canyon are now part of that but there is potential to add Rainbow Gardens, Sunrise Mountain and other lands to the system.

#### **Recommendation 2: Protect landscapes from visual scarring or obstruction.**

With a few exceptions, the Desert and Mountain backdrop surrounding the Las Vegas Valley is unscarred and provides a panoramic view that is enjoyed by all residents and visitors to the region. In addition, the building heights for structures located within the mountain backdrop currently allow for an uninterrupted view of the surrounding hillsides. Member entities should work together to prevent the visual scarring, obstruction or obscuring views (by dust or smog) of the Desert and Mountain Backdrop through protection of the hillsides, limits on building heights adjacent to the surrounding steep slopes, and the continued improvement of air quality through the Clark County Department of Air Quality programs and regulations in order to protect this visual resource.

#### **Recommendation 3: Protect sensitive resources, wildlife areas, plant communities and other natural and cultural values located within the Desert and Mountain Backdrop.**

Form and assign staff to a task force subcommittee representing the federal agencies, state, county and local jurisdictions to convene on a regular basis (at least twice annually) to monitor changes to habitat areas and compliance with the appropriate studies and recommendations regarding resource protection in Southern Nevada. Enlist participation, in-kind services and support from the State Wildlife Division, UNLV, tribal groups and private organizations with an interest in resource conservation. Include liaison with the flood control, water, transportation, military, and utility entities.



**Recommendation 4: Provide access, where appropriate, for compatible forms of outdoor recreation.**

The Desert and Mountain Backdrop may allow for various forms of passive recreation, such as hiking, mountain biking, and equestrian uses. Traditional access points should be protected and compatible forms of recreation should be provided. In order to provide access, member entities should work with the Bureau of Land Management and other landowners to determine the feasibility of access. Enlist participation and cooperation with user groups including equestrian and mountain biking organizations.

**Recommendation 5: Pursue protection measures with federal, state, and local jurisdictional landowners and managers.**

An important initial step is an inventory of all property owners—public and private—within the backdrop and the Vias Verde that abuts it (refer to Chapter 5, Section B Vias Verdes implementation strategies). Clearly, different protection measures will apply to different types of ownerships. For example, the federal agency managers, local agencies, and elected officials including the Nevada Congressional Delegation should work together to identify and establish an optimal lands and viewshed protection program.

As discussed previously, this might be through the expansion of the National Landscape Conservation System (NLCS) creating a unified integrated ring of protected lands surrounding the Metro Area. Military and State land managers should also participate in this program. The County and local jurisdictions should pursue hillside and steep slope protection ordinances. In addition, the local and county entities should pursue incentives for land conservation including: density transfers, development clustering and similar techniques.

**Recommendation 6: Member entities should inform each other of any planned or proposed projects – public or private – that may degrade the Mountain Backdrop and should pursue all available options to avoid or mitigate.**

Since the Desert and Mountain Backdrop provides regional benefits, member entities should inform each other of possible impacts to this resource. This process should be formalized through an interagency agreement, which should ensure the review of all projects—public and private—that impact the open space components (i.e. Backdrop, the Vias Verde or other landscapes) included within the scope of this plan.

**5.2.2. Vias Verdes Implementation Strategies**

One of the most important open space components in this Plan involves the establishment of the Las Vegas Vias Verdes, a transitional belt of open space situated at the base of the mountain backdrop. The communities of Southern Nevada should work immediately to implement this concept before this transitional open space is lost to development.



The proposed Vias Verdes would form a belt of protected open space surrounding the Las Vegas Valley.

**Recommendation 1: Work closely with Federal and State agencies through a joint planning effort to implement this strategy.**

If the communities can adopt this as a Valley-wide strategy, federal agencies can begin to integrate this concept into their land management plans for adjacent federal lands. Additionally, as part of the planning process, local governments should work with federal agencies to identify specific properties and landscapes—identifying parcel by parcel what needs to be protected or acquired for protection—within the Vias Verdes. The optimal width of the Vias Verdes should be established along its entire length.

**Recommendation 2: Adopt policies within local land development codes that protect the Vias Verdes from encroachment and development.**

Following a joint planning effort, local land development codes and policies should be adopted in order to protect this corridor from further development pressures. Measures similar to those discussed in Recommendation A-5 above should be pursued.

**Recommendation 3: Nominate portions of the Vias Verdes annually for SNPLMA funding as joint projects.**

SNPLMA provides a resource for funding the Vias Verde that should be pursued by all member entities. Through the submittal of joint applications, the Vias Verde should be a priority for all member entities for future nomination rounds to ensure that the project may come to fruition. A phased approach should be used in requesting funding for the Vias Verde on an annual basis to ensure that other priority projects, such as needed parks and trails, may also be funded.

**5.2.3 Storm Drainage Protection Strategies**



The Las Vegas Wash

**Recommendation 1: Take advantage of existing opportunities for multiple use drainage facility design.**

Convene a series of strategy forums among the local jurisdictions and the CCRFCD to identify ways to expand multi-objective opportunities including ways to enhance and supplement funding through partnerships with local jurisdictions, developers and other stakeholders. Member entities should also identify opportunities for alternate designs for the preservation of channels in conjunction with the Regional Flood Control District Master Plan in order to maximize funding resources. While the District is limited to providing the most cost-effective solution, local governments or other sources could supplement these funds.

**Recommendation 2: Investigate development incentives for providing alternate storm drainage designs.**

Investigate potential development incentives for providing alternate storm drainage designs, multiple-use benefits and proven engineering techniques that economically meet safety, aesthetic, recreation



and resource conservation benefits. This might be facilitated through a design and planning forum with CCRFCD, local jurisdiction engineers, and area consulting engineers. The forum could include presentations of examples by representatives of other communities like Denver, CO, and others who have had successes in alternate systems.

**5.2.4. SNRPC Regional Trails Plan Implementation Strategies**



Regional trail near Boulder City.

**Recommendation 1: Identify a lead agency or entity to track the completion of the Regional Trails Plan.**

While many segments of the Regional Trails Plan are funded, the existing system is currently disconnected and does not allow users to utilize the trails for extended distances. The tracking effort initiated by the Interagency Trails Connectivity Group, which includes the mapping of planned, existing, and funded regional trails, should be continued by a lead agency or entity. In addition, through the tracking of completed segments of the regional trails plan, the information may be utilized to generate public outreach materials and maps.

**Recommendation 2: Develop a regional trails design manual that includes operations and maintenance requirements.**

In order to achieve consistent design and maintenance standards across jurisdictional boundaries, a Regional Trails design manual should be developed. The manual would provide guidance regarding trail types, cross-sections, surface materials, signage, maintenance protocols and other factors to promote a safe, durable, attractive and cost-effective regional trail system with consistent standards of design, operations and maintenance.

**Recommendation 3: Develop a regional trails plan implementation phasing schedule for each jurisdiction.**

This is an important next step that includes both Metro-wide cooperation and local jurisdictional initiative. This effort will highlight potential opportunities to possibly fast track certain trail connections that cross entity boundaries.

**5.2.5. Regional Open Spaces and Heritage Lands Conservation Strategies**



The Red Rock Canyon NCA is one of several regionally significant landscapes throughout the Las Vegas Valley.



**Recommendation 1: Develop and maintain an inventory of regional open space resources.**

An early action item for SNRPC would be to implement a detailed open space inventory and assessment program for the Las Vegas Valley. The purpose of this inventory and assessment would be to identify, by parcel, current and future open space resources, including but not limited to hillsides, public lands, acquisition properties, trail corridors, critical habitat areas, and drainageways. The SNRPC should utilize GIS technology to accurately examine the current open space resources. The inventory should target lands that should be conserved as part of the regional open space framework.

SNRPC member communities should also pool resources and work together to complete a GIS-based inventory and assessment of existing open space resources throughout the Las Vegas Valley. The SNRPC should use the open space classifications, or categories, defined within this Plan to complete this inventory. The inventory should also determine, on a parcel level basis, future regional open space resources based on the regional open space opportunities map that is part of this Plan.

**Recommendation 2: Identify and protect regional open space resources prior to land auctions.**

Utilizing the inventory of Regional Open Space, member entities should protect these resources in advance of development. Potential methods may include the pursuit of Recreation and Public Purpose (R&PP) leases or right-of-ways or land use plan changes that designate regional open space resources as “open space” or a similar category that precludes development. The SNRPC member entities should initiate discussions with the BLM regarding other methods that may be available to protect open space through the land auction process. By protecting regional open space resources in advance of auction, opportunities will not be lost through development.

**Recommendation 3: Establish multi-jurisdictional development review standards for sensitive lands protection.**

The Southern Nevada Regional Policy Plan includes a policy to “encourage the development of multi-jurisdictional development review standards, where appropriate in selected areas. For example, sensitive lands protection...should be subject to multi-jurisdictional approaches.” The participating jurisdictions should convene a committee to draft and agree to a set of commonly uses review standards. This may include the need for technical advice in areas such as sensitive lands or legal terminology.

**Recommendation 4: Develop local master plans for regional open space/heritage lands sites.**

Local jurisdictions should work to identify such lands within their boundaries and communicate this information to the larger regional forum so that these properties can be displayed on regional planning maps and cited in regional documents.

**5.2.6. Include “Oases in the City” in future planning**



Small urban parks serve as an Oasis in the City.



Oases in the City is open space that consists of neighborhood spaces, not active parks, but places where people can find solace, quiet and perhaps a view of the mountain backdrop. While, it was determined that this type of open space did not fit within the parameters of “regional open space”, It is, however, an important open space component in the urban fabric of Las Vegas Valley communities. It is recommended that this open space be included within local park and recreation plans, and that the County and cities of Las Vegas, North Las Vegas, Henderson and Boulder City work to protect these open space lands through their local park and recreation programs.

### 5.3 Land Management and Funding Strategies



Revegetation of the desert is one of many management options.

#### Recommendation 1: Expand and apply the land conservation toolbox.

One of the easiest and most effective short-term strategies that the SNRPC member communities can implement for improved open space protection is to expand the land conservation “toolbox.” The “toolbox” is found in Appendix A and includes a variety of regulatory, acquisition and land management

techniques that can be used by SNRPC member communities to conserve and protect open space resources. SNRPC member communities should adopt the strategies that are applicable to their areas, as featured in the Toolbox, and incorporate them into local land development codes, policies and programs.

#### Recommendation 2: Broaden funding for open space conservation and operations and maintenance.

SNRPC member communities do not currently provide dedicated funding for open space conservation. This situation can be improved through the creation of a stable and recurring source of revenue for open space conservation, including: protection, acquisition, recreational access, and operations and maintenance. Due to the needs of local agencies to meet growth demands for local park & trail development, this source should extend beyond the SNPLMA program. The local funding source should be derived from local revenues and supported by member communities. The fund needs to be established in such a manner that it can be quickly accessed for conservation purposes -- not limited to the SNPLMA nominated nomination and selection process, to assure expedited implementation. A range of funding sources that support Open Space Conservation is featured in Appendix B.

In addition, funding sources for operations and maintenance should be considered. However, the O&M costs for open space are significantly less than for active parks, ranging from a nominal amount to several hundred dollars per acre versus several thousand dollars per acre for landscaped active park sites. The annual maintenance costs of the Jefferson County, CO program for a 50,000-acre inventory of properties and substantial trail mileage is \$6 million. Albuquerque owns and/or manages 28,282 acres of Open Space in the greater metropolitan area with an annual operating budget of approximately \$3.5 million. While cost in the Metro Las Vegas system will be borne by an amalgam of federal, state and local jurisdictions, there will be

a regional impact of additional O&M costs. Other communities such as Metro Denver and Albuquerque have funded O&M through a designated open space tax fund and the burden has been sufficiently covered by the annual revenues without notable hardship.

As a potential way to supplement funding, the SNRPC should foster the development of an Open Space Trust Fund for Southern Nevada, which could be operated in the future by the Southern Nevada Open Space Partnership. Revenues for the Trust Fund can come from a variety of public and private sources. Each member community should contribute a proportional share to the Trust Fund on an annual basis. The Peninsula Open Space Trust, CA is an example of an effective locally funded open space trust fund.

In addition, Clark County and/or the local jurisdictions should pursue the establishment of an open space tax. This, ideally, could be a small .1 to .5 cent sales tax—though current sales tax capacity in the Metro Area may be very limited. Other options include a property tax increment, real estate transfer fee or development impact fees. As described in Appendix C, NRS 376A.020 enables local governments to solicit voter approval of tax increases to help fund the acquisition and maintenance of open space land. However, the legislation only applies to counties of a population that is less than 400,000. Changes to this legislation or the introduction of new legislation would be necessary for sales tax changes.

The sales tax approach has been extremely successful over the past 25 years in Metro Denver, CO. with solid voter approval in traditionally tax resistant jurisdictions. The key has been to have an inspiring plan that clearly lays out the program and how it will be administered. Potentially a bond issue for acquisition of key Vias Verde and other parcels could help implement the open space program.

### **Recommendation 3: Implement long-term operating program for regional open space.**

The communities of Southern Nevada should develop a long-term operating program for the management of regional open space. This can begin by agreeing to a set of common principles for resource management. These principles can be adopted and implemented by each community and partner agency (such as the Clark County School District and Regional Flood Control District). These principles should take into account resource management that, for example, protects native ecosystems, improves habitat for wildlife, and provides for natural movement of water.

The first step in creating a long-term operating program would be to arrange meetings with decision makers of land management agencies and departments to discuss the critical issues and concerns that are threatening resource management. From this meeting, a set of principles and actions should emerge that will form the basis of conservation, operating and management policies that would be adopted by each community and land management agency.

### **Recommendation 4: Establish a regional open space stewardship program.**

In pursuit of the five components of regional open space, the partners should conduct needs assessment of each resource to understand the ecosystem and intended uses, determining appropriate public access and use, defining a hazards management plan, defining a conservation and/or restoration program, and determining a monitoring and enforcement program. The SNRPC may want to consider establishing—(or working with) a Southern Nevada Open Space Partnership—to create a Conservation Youth Corps as well as an Open Space Stewards program.



**Recommendation 5: Strengthen open space partnerships.**

The Southern Nevada Regional Planning Coalition is in essence a confederation of like-minded local governments that are working in partnership for the good of the region. The guiding philosophy of SNRPC is cooperation without the burden of a formal institutional framework. With this as a given, a variety of methods for establishing and coordinating a metro-wide open space program in Southern Nevada have been examined. Four specific scenarios of coordination (or governance) were considered. (See Appendix C.)

From these four scenarios, The Working Group and the GWI Team recommends strengthening local partnerships as the most effective starting point. At a minimum, there is a need to formalize open space conservation within SNRPC. This effort should include key agencies and entities at the local, regional, state and federal levels. SNRPC must also engage key infrastructure agencies including the Regional Flood Control District and the Regional Transportation Coalition. Therefore, it is recommended that the SNRPC establish the “Southern Nevada Open Space Partnership” through a series of MOU’s that would be jointly signed by all members of the Coalition.

Assuming, the members of this proposed partnership support the recommended open space components of this Plan, the partnership can then focus on a strategy to implement the planning and management objectives for each component defined in this plan. Additionally, key private sector organizations, including non-profits, key developers, and other groups, should be encouraged to execute MOU’s and join the partnership to carry out open space conservation at the regional scale.

At the same time, further research should be conducted to explore the creation of a Regional Open Space Authority for Southern Nevada. The Santa Clara County, CA model should be considered. Additionally,

individual communities and jurisdictions should also be encouraged to move ahead with their open space conservation efforts that are consistent with the goals of this Plan.

**5.4. Community Involvement Strategies**



Citizens of Northwest Las Vegas voice their opinions.

**Recommendation 1: Engage the community through a Greater Metro Las Vegas Valley Open Space Forum.**

SNRPC and its partnering entities should organize a follow-up outreach program to take the visions of this document to the larger community. This might include a Metro-wide forum that includes presentations and round table discussions with public groups, key decision-making agencies, area planning, design and engineering firms, developers, homebuilders and others who will be shaping the character of the metro area in the next few years and beyond.

To that end it will be important to convey the vision of this document to the broader community and to engage them in contributing ideas, solutions, and support. It will also be able to properly assess, predict and define where open space resources are needed, especially

given the rapid growth rate and land use changes that are occurring throughout the Greater Metro Las Vegas Valley.

**Recommendation 2: Coordinate with federal agencies.**

Another important “next step” that the Southern Nevada Regional Planning Coalition should accomplish is to work with Federal land management agencies to clearly articulate the importance of this regional open space plan. The Code of Federal Register requires federal agencies to respect the autonomy of local communities, while at the same time working with local community partners to implement federal land management policies, programs and activities. When the communities of Southern Nevada adopt this Open Space Plan, it will provide the federal government with a clear, unequivocal intent to protect the open space components that are featured in this plan.

The next step will be for the communities of Southern Nevada to hold a formal work session with the federal land management agencies to determine how the recommendations of this open space plan interface with the land management strategies of the myriad federal agencies that own and manage property in Southern Nevada. From this meeting, a set of written principles should emerge that serve as a communications tool for resource management.

**5.5. Plan Status Reporting and Update Protocols**



Coordination with federal agencies is an important element of future regional open space conservation.

**Recommendation 1: Establish performance measures and report quarterly progress to SNRPC Board.**

Utilizing the Action Plan (Appendix A) as a guide for tracking progress, member entities should provide a quarterly update to the SNRPC Board regarding the status of the Plan implementation activities. In addition, the SNRPC member entities should establish performance measures (i.e. number of regional open space acres protected, number of miles of trails completed) to track accomplishments and identify areas for improvement.

**Recommendation 2: Update the Regional Open Space Plan in 5 years, expanding the plan boundary to include outlying areas.**

The Regional Open Space Plan should be updated every 5 years. In addition, the scope of this planning effort was limited to the current urban growth boundary for the Clark County metro area and the cities of North

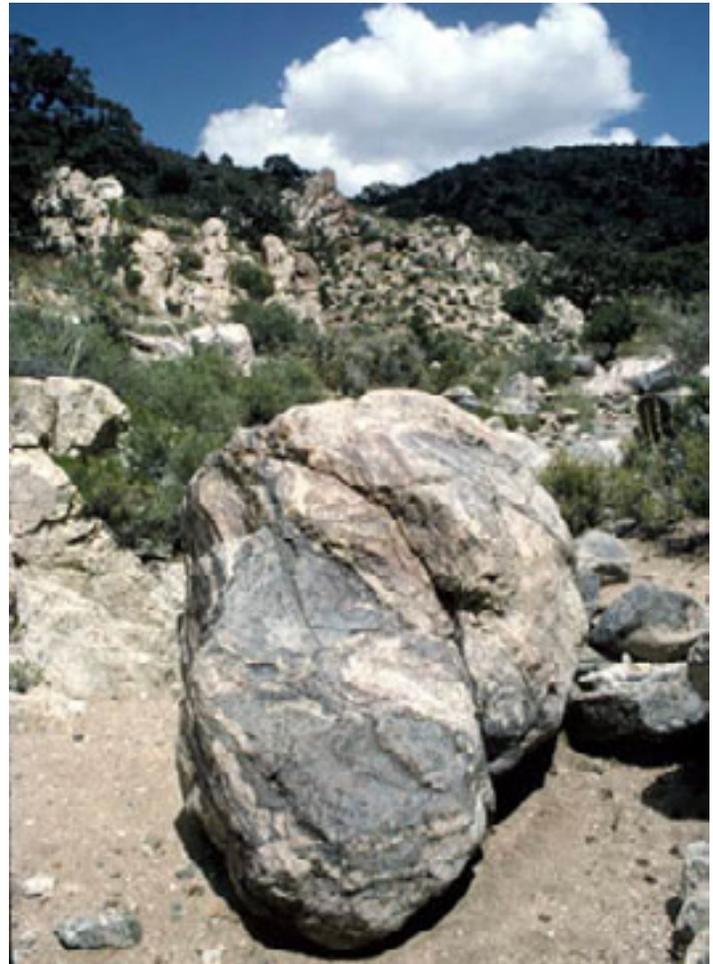


Las Vegas, Las Vegas and Henderson. However, development pressures and upcoming large-scale master planned communities are expected in outlying areas, such as Mesquite and Pahrump. In order to ensure the protection of any desired community separators and to include all of Southern Nevada in future planning, the next Plan update should include outlying areas. The SNRPC Regional Policy Plan policy to “establish an open space community separator in western Clark County adjacent to Pahrump” could also be achieved by this approach.

### 5.6. Conclusion

The recommendations of this plan present an opportunity to further the conservation of Southern Nevada’s fragile desert habitat and vital recreational resources for our people—residents and visitors alike. It calls for a concerted effort to protect the Valley’s mountain and desert backdrop, the Vias Verde, our washes, our regional trail corridors, our regional open spaces and our heritage lands, without which, this heritage will be lost forever.

Since these resources benefit the entire region and cross jurisdictional boundaries, it is important that the SNRPC to continues to be proactive in the implementation of this plan. The vision established herein will allow the SNRPC to leave a legacy of protected desert landscapes for this and future generations to enjoy.



Mount Charleston is one of the most significant of all the regional landscapes in the greater Las Vegas Metro area.

# appendices



## **Appendix A: Action Plan**

**Provides a listing of immediate, short term and long term actions to be taken by SNRPC**

## **Appendix B: Conservation Toolbox**

**Defines a variety of tools that can be used to conserve open space resources**

## **Appendix C: Funding Resources**

**Defines federal, state and local funding sources for open space conservation**

## **Appendix D: Organizational Strategies**

**Offers several different organizational strategies for how open space can be managed under a regional framework**

**regional open space plan**



## Appendix A: Action Plan

The following Action Plan defines the manner in which the recommendations provided within this policy plan should be implemented by the Southern Nevada Regional Planning Coalition. The Action Plan is organized by section, provides a suggested timeframe for implementing recommendations, describes which organization or agency would be best to lead the implementation and provides some useful notations that further clarifies the recommendation.

The complete Action Plan can be found on the following pages.

# By section Appendix A: Action Plan

Recommendation	Timing			Implementing Lead		Notes
	Now	2-3 years	3-5 years	Local Govt.	SNRPC	
<b>Section 1. Organizational Structures</b>						
1.1. Maintain current ad hoc structure but begin discussion regarding the formation of one of the regional approaches recommended.	X			X	X	Need to identify staff, leadership, officials, and advocates to champion the effort.
1.2. Establish preferred regional structure (interim or permanent) and operate for two years. Evaluate at end of the two year period (year 3).		X			X	
1.3. Based on the evaluation of the regional structure selected, establish as a permanent regional structure. If necessary, revise structure and implement alternative.			X		X	
<b>Section 2. Regional Open Space Strategies</b>						
2.1. Federal land managers, state agencies, and local community representatives should form an interagency cooperative staff task force that meets regularly with scheduled work products. The task force will identify landscapes within the Desert and Mountain Backdrop and draft policies and coordination strategies to protect these resources, work together to prevent the visual scarring or obstruction of the Desert and Mountain Backdrop, and monitor changes.	X			X	X	Need staffing or resources to develop GIS mapping. Identify a regional coordinator for the task force, which could be a rotating position amongst the local and regional agency staff.

Recommendation	Timing			Implementing Lead		Notes
	Now	2-3 years	3-5 years	Local Govt.	SNRPC	
	<b>Section 2. Regional Open Space Strategies (cont'd)</b> 2.2. Protect traditional access points to the Desert and Mountain Backdrop where feasible.	X			X	
2.3. Conduct an inventory of all property owners within the Desert and Mountain Backdrop and pursue protection measures.	X			X		Need allocation of funds and staff resource.
2.4. Member entities should inform each other of any planned or proposed projects within the Backdrop and should pursue options to avoid or mitigate impacts.	X			X	X	An SNRPC review process similar to the process used for projects of regional significance could be implemented.
2.5. Work with federal, state, and local agencies through a joint planning effort to implement the Vias Verdes vision.	X			X		
2.6. Adopt policies within local development codes to protect the Vias Verdes.		X		X		
2.7. Implement the Vias Verdes by seeking SNPLMA funding, where local agencies may nominate portions of the Vias Verdes annually as joint projects, or through other mechanisms.	X			X		Since some portions of the Vias Verdes is on federal lands, other funding mechanisms or implementation methods (i.e. obtaining right-of-way or R&PP leases) should also be explored.

	Timing			Implementing Lead		Notes
	Now	2-3 years	3-5 years	Local Govt.	SNRPC	
<b>Recommendation</b>						
<b>Section 2. Regional Open Space Strategies (cont'd)</b>						
2.8. Take advantage of existing opportunities for multiple use drainage facility design.	Ongoing			X		
2.9. Investigate development incentives for providing alternate storm drainage design.		X		X		
2.10. Identify a lead agency or entity to track the completion of the Regional Trails Plan and provide updates to the Task Force.	X				X	The RTC currently tracks the completion of trails identified by the Alt. Mode Plan and may also be able to track the Regional Trails Plan completion.
2.11. Develop a Regional Trails design manual that includes O&M requirements.		X			X	
2.12. Develop a Regional Trails Plan implementation phasing schedule for each jurisdiction.	X			X		
2.13. Develop and maintain an inventory of regional open space resources.	X			X	X	
2.14. Identify and protect regional open space resources prior to the land nomination process, direct sales, or other methods of privatization.	X			X		
2.15. Establish multi-jurisdictional development review standards for sensitive lands protection.		X			X	

Recommendation	Timing			Implementing Lead		Notes
	Now	2-3 years	3-5 years	Local Govt.	SNRPC	
<b>Section 2. Regional Open Space Strategies (cont'd)</b>						
2.16. Develop local master plans for Regional Open Space/Heritage Lands sites.		X		X		
2.17. Include "oases in the city" in future planning.	Ongoing			X		
<b>Section 3. Land Management and Funding Strategies</b>						
3.1. Expand and apply the land conservation toolbox.		X		X		
3.2. Broaden funding for open space conservation and maintenance.		X	X	X		
3.3. Implement long-term operating programs for Regional Open Space.			X		X	
3.4. Foster the development of a Regional Open Space Stewardship Program.		X		X	X	
3.5. Strengthen open space partnerships.	Ongoing			X	X	
<b>Section 4. Community Involvement Strategies</b>						
4.1. Engage the community through a Greater Metro Las Vegas Valley Open Space Forum and a public outreach process.	X				X	

Recommendation	Timing			Implementing Lead Local Govt.	Implementing Lead SNRPC	Notes
	1 year	2-3 years	3-5 years			
<b>Section 4. Community Involvement Strategies (cont'd)</b>						
<b>4.2.</b> Coordinate with federal, state and local to determine how the Regional Open Space Plan recommendations interface with federal land management strategies.	X			X	X	
<b>4.3.</b> Establish performance measures and report quarterly progress to the SNRPC Board.	Ongoing			X		
<b>4.4.</b> Review the Regional Open Space Plan in 5 years and update as needed, expanding the Plan boundary to include outlying areas.			X		X	



## Appendix B: Open Space Toolbox

The enclosed Conservation Toolbox has been prepared by the Greenways incorporated team to provide member communities of the Southern Nevada Regional Planning Coalition with a quick reference of land conservation strategies. The toolbox is divided into several distinct sections: regulatory, acquisition, land donation and management strategies. For each strategy, an advantage and disadvantage of each is listed to help define the most appropriate strategy for a given open space conservation opportunity.

In accepting these strategies, the SNRPC in no way is committed to use any of these land conservation approaches. This is much like a toolbox at home, if a hammer is needed to complete the job, then pick the hammer from the toolbox. In much the same manner, if a strategy can help to complete a conservation project, then pick the appropriate strategy for the job.



# CONSERVATION TOOLBOX

## REGULATORY MECHANISMS

There are inherent disadvantages to preserving open space through regulatory mechanisms. First, regulations normally apply when the land development process begins. The adverse impacts of land clearing, road building and other development activities (including fragmenting of habitat) often result in resource loss, essentially making open space ‘protection through regulation’ an after the fact exercise. Another disadvantage is that regulations are subject to change. Just as a governing body can adopt stricter regulations, a future governing body could relax or not enforce those rules. The following is a listing of regulatory strategies that have been used throughout the United States to conserve open space.

### DESCRIPTION OF STRATEGY

**Development Impact Fee:** Impact fees are also known as exactions. In its simplest form, the developer is charged an easy to calculate fee. A formula may be created to decide the cost that development will impose on the community. The formula can account for the area of land affected, the number of units built, the expected market value of those units, the distance from the fire and police stations, costs of building roads, and the expected population growth resulting from the construction. The exaction can come in forms other than money. The developer can be required to provide streets, sewers, street lights, parks, or other infrastructure or amenities. The developer might also be required not to develop some portion of the land. In some cases, builders of expensive homes have been required to build some proportional number of low cost homes. The town or county can develop a comprehensive system or formula or exactions can be formulated on a case by case basis from more general criteria.

**Transfer of Development Rights:** In some cases, a local government may want to steer development toward areas where it is more appropriate and easier to serve. Generally, the intent is to steer development away from rural areas, agricultural preservation zones, and environmentally sensitive areas and guide it towards existing cities and towns. Transferable Development Rights (TDR) programs are one way to do that. In a voluntary TDR program, the county would designate certain parts of its territory as “sending zones” and other areas as “receiving zones.” “Landowners in the sending zones can sell their rights to develop houses or commercial uses to other landowners in the receiving zones, or to a third party who will eventually buy land in the receiving zone. Or, landowners in the receiving zone can buy additional development rights from someone in the selling zone.

**Right To Farm and Ranch:** Since the 1970s, all fifty states have enacted “Right to Farm” laws to help protect existing agricultural operations from suits brought by people who move nearby, then claim the neighboring farm is a nuisance. Common complaints revolve around odor, noise, dust, flies, application of agricultural chemicals and slow moving machinery. Most statutes have exemptions that do not protect farms and ranches that 1) begin operation after other neighboring land uses already exist; and/or 2) are out of compliance with local, state or federal regulations. Most statutes have not been challenged in court.

### BENEFITS

A “pay-as-you-grow” program that really has been proven to help cities keep pace with rapid land development. A particularly useful tool for the Southern Nevada Region, due to its fast pace of growth and rate of change.

Potentially an effective growth management tool. Resources can be protected without huge capital expenditures. Large tracts of protected land can be created in “sending” areas. Great example of this tool: Chattahoochee Hill County, Georgia.

Good program for protecting farm land in rapidly growing communities. Encourages farmers to continue their operations and offers legal protection for these land uses.

### DRAWBACKS

Can be difficult to implement, as it must meet Supreme Court rulings on “essential nexus,” fair and equitable implementation. Politically challenging because impact fees are generally not favored by the development community.

Complicated program to establish and administer. High administrative overhead; requires professional staff assigned to program. Landowner resistance to downzoning in “sending” or higher densities in “receiving” areas. An unproven technique. Requires state enabling legislation.

Depends on farmers to continue their operations, so it is not a method for long term protection of this greenspace resource.

**REGULATORY MECHANISMS (CONTINUED)**

**Urban Growth Boundary:** Demarcation of the limit of urban infrastructure (water and sewer extensions). UGB usually identifies a 10-20 year 'land supply' of buildable land. Portland, Oregon and Charleston, South Carolina have used UGB's to define growth boundaries and protect open space resources.

**Large Lot Zoning:** Provides for large minimum lot sizes, such as five or ten acres per dwelling unit. Development is spread over a large area, reducing density.

**Cluster Development:** Cluster development allows land developers to develop in a compact form at higher densities, thereby preserving open space within the same tract that would not be developed.

**Mandatory Dedication of Open Space:** Developers are required to dedicate a portion of subdivided property (1/35 acre per dwelling unit) or pay fee for open space, greenway, or parkland.

**Performance Zoning:** Zoning categories are based on permissible impacts to natural or historic resources, instead of a list of permitted uses. Requires impact assessment of proposed development projects.

**Bonus/Incentive Zoning:** Provides density bonuses; i.e., developers can build additional units in exchange for preserving designated resource lands. Technique usually applied to cluster developments and transfer of development rights programs.

**Conservation Overlay Zoning:** Additional or stricter development standards and criteria are established to protect particular features of an existing zone, such as historic districts, landscape features, scenic views, agricultural areas, or watersheds. Local Historic District designation is commonly used form of overlay zoning.

**Voluntary Agricultural District:** Special districts established to promote continuation of agricultural and forestry activities.

Limits sprawl and encourages more compact development. Allows integration with a TDR program to preserve greenspace.

Maintains low density and reduces impact on certain resources, such as water resources, in rural and forested areas. Provides flexibility in building design and location to allow site protection.

Allows for flexibility in design to protect natural resource areas located on the parcel. Construction and infrastructure costs for land developers are reduced.

Open space is protected, and recreation lands are acquired at little cost to the public.

The local land use plan directs the location of development to resource-compatible areas. Provides flexibility in types and designs of projects – many uses may be permitted in a single zone.

Encourages sensitive site design to protect resources. Helps maintain open space and rural character, particularly for residential developments on the urban fringe.

Standards and criteria are developed to meet needs of specific resources within the zoning district. Effective in protecting specific resources from development pressures. Used widely to create historic districts.

Maintains land in agricultural and forestry use. Provides some protection from nuisance lawsuits against agricultural operations.

Requires strong countywide cooperation. Can be controversial; downzoning required outside of UGB. Raises land and housing costs inside boundary.

Contributes to suburban sprawl. Open space included within each private lot. Resource areas may be scattered and noncontiguous, fragmenting forest cover and wildlife habitat. Contributes to high real estate prices. Zoning can be changed to allow in-fill development.

Voluntary. If not implemented correctly, protected lands are often scattered and non-contiguous. Clustering may not be a preferred option for Southern Nevada developers. Long-term management of common open space may become problematic for homeowner association.

Applies only to residential subdivision and PUD's. Limited effectiveness in preserving large tracts or corridors.

Effectiveness is based on knowledge of resources and the effects of impacts. Requires a detailed land use plan and staff to administer the program.

Requires careful infrastructure planning to prevent sprawl and 'leapfrog' development. Dependence on wells and onsite septic systems in fringe areas. Conservation value limited if high number of units permitted.

Standards must be defined clearly to ensure that open space can be protected. Zoning regulations can be changed. Does not address resource preservation outside the zoning district. Not often used for open space.

Voluntary participation. Minimum acreage criteria. Does not provide long-term protection. Most effective when several contiguous farms participate in areas with development pressure.

**ACQUISITION OF OPEN SPACE**

Acquisition and management of resource lands can be combined with regulatory measures to broaden the effectiveness of a conservation program. If land regulation is temporal, then acquisition of open space is permanent. For conserving open space and their functions, acquisition is the strongest and surest means of protection. Acquisition methods can be divided into two strategic categories: those methods where landowners retain ownership of the land and preserve a resource through an easement or other mutual agreement, and those methods involving a transfer of title from the owner to a conservation agency. (Note: conservation agency refers to a local government, land trust, or other conservation organization that holds easement or title on the land and is involved in its conservation management.)

**DESCRIPTION OF STRATEGY**

**Purchase of Development Rights (PDR):** The owner's rights to develop a parcel of land are sold to the local government or to a land trust. Most PDR programs are voluntary and offer a viable financial option to interested landowners.

**Purchase of Mining Rights and Other Easements:** In addition to purchasing development rights, other rights, such as the right to timber or extract minerals, could also be purchased. Other 'customized' easements could be developed as needed depending upon the resource in question.

**BENEFITS**

A proven technique for local communities with strong support to acquire lands for preservation. Owners who sell development rights receive an income and continue to use their land while retaining all other right Property taxes should be reduced.

For protection of scenic viewshed or forested buffer. Less expensive than fee-simple acquisition or PDR. Provides desired income to owner while keeping resource intact.

**DRAWBACKS**

Purchasing development rights can be expensive. Rarely protects enough land to relieve development pressure on resource land. Funding may not meet demand for easement purchases. Voluntary program means some resource areas may be lost.

Mineral rights or timber rights management issues must be resolved. Limited applicability for protecting greenspace.

**ACQUISITION OF OPEN SPACE (CONTINUED)**

**Conservation Easement:** A legal agreement between a landowner and a qualified conservation organization or government agency to voluntarily restrict the use and development of the property. Easement grantee (i.e. local government) would hold a partial interest or some specified right in a parcel of land. A conservation, historic preservation, open space, or scenic easement is designed to protect a specific sensitive natural, historic, or cultural resource. An easement may be in effect for a specified period of time but is usually perpetual.

**Lease:** An agreement between an agency and landowner to rent the land in order to protect and manage a sensitive resource.

**Fee Simple Acquisition:** Usually the sale of land at full market value. Ownership and responsibilities are transferred completely to the buyer.

**Bargain Sale:** Land is purchased at less than fair market value. The difference between the bargain sale price and the land's fair market value becomes a donation.

**Installment Sale:** A percentage of purchase price is deferred and paid over successive years.

**Right of First Refusal:** Agreement giving conservation agency the option to match an offer and acquire the property if the landowner is approached by another buyer.

**Undivided Interest:** Several parties share ownership in a parcel of land, with each owner's interest extending over the entire parcel.

**Land Banking:** Land is purchased and reserved for later use or development. Land could be leased for immediate use (i.e. agriculture or athletic field) or held for eventual resale with restrictions. Local government functions as a land trust. Many programs are funded through real estate transfer taxes.

**Acquisition & Saleback or Leaseback:** Agency or private organization acquires land, places protective restrictions or covenants on the land, then resells or leases land.

Can be effective in preserving open space if it meets mutual goals of landowner and agency. Easement provisions are tailored to needs of landowner and site preservation goals. Landowner retains ownership and use of the land. Potential property, income, and estate tax benefits for donation or bargain sale of an easement. Easements run with the land, despite changes in ownership. Reduces costs for site protection when easements are acquired at less than fair market value for the protected area.

Low cost approach to site protection. Landowner receives income and retains control of property. An alternative for preservation minded landowners not ready to commit to sale of easement. Restrictions can be included in the lease to direct the activities of the conservation agency on the land.

The most straight forward acquisition method. Provides agency with full control over future of property.

Reduced acquisition costs. Seller may qualify for tax benefits for charitable donation. May offset capital gains.

Possible capital gains tax advantages for seller.

Agency can gain extra time to acquire funds for purchase.

Changes to property cannot be made unless all owners agree.

Local government proactively identifies and purchases resource land. Lowers future preservation costs by working as a defense against future increases in land prices, speculation, and inappropriate development.

Proceeds from sale or lease can offset acquisition costs. Land may be more attractive to buyer due to lower sale price resulting from restrictions. Management responsibilities assumed by new owner or tenant.

Baseline survey required to identify the extent of natural, historic, or cultural resources within the easement. Less protection than outright acquisition. Easement purchases may be costly. Terms must be carefully and clearly outlined. Management intensive: easements must be monitored and enforced; grantee agency must work closely with landowners. Easement grantee must possess technical expertise and financial wherewithal to monitor and enforce easement. Easement restrictions may limit property resale opportunities. Tax benefits may not be sufficient motivation for landowner to donate or sell easement.

Short-term protection strategy. Leases are not permanent.

Most expensive. Buyer assumes full responsibility for care and management of property. Loss of revenue when land is removed from tax rolls. Capital gains issues for seller.

Difficult and time-consuming to negotiate. May still be costly to acquire land.

Complicates budgeting and financing of acquisitions.

Resource may be lost if offer can't be matched by conservation agency. Some landowners are unwilling to enter into this kind of binding agreement.

Property management can be complicated.

Expensive. Requires large upfront expenditures. Public agency must have staff to handle land trust functions of acquisition, management, lease, or resale. Real estate transfer tax for land acquisition would require local enabling legislation.

Complicated procedure. Owner retains responsibility for the land but may have less control over the property. Leases may not be suitable on some protected lands.

**DONATION OF OPEN SPACE**

**DESCRIPTION OF STRATEGY**

**Outright Donation:** Owner grants full title and ownership to conservation agency.

**Donation via Bequest:** Land is donated to a conservation agency at the owner's death through a will.

**Donation with Reserved Life Estate:** Owner retains rights to use all or part of the donated land for his or her remaining lifetime and the lifetimes of designated family members.

**BENEFITS**

Resources acquired at very low costs to the agency. Agency may receive endowment for long-term land stewardship. Donor may qualify for income tax deductions, estate tax relief, and property tax breaks.

Reduces estate taxes and may benefit heirs with reduced inheritance taxes. Allows owner to retain full use and control over land while alive; ensure its protection after death.

Allows owner to continue living on and using the property during his or her lifetime while ensuring the land's protection. Allows designation of family members to remain on land.

**DRAWBACKS**

Landowner loses potential income from sale of land. Receiving agency must accept responsibility and long-term costs of land management. Stewardship endowments may make donations cost prohibitive for landowner.

No income tax deduction for donation of land through a will. Requires careful estate planning by the landowner.

Tax benefits may be limited; some types of open space may not qualify. May delay transfer of title to the conservation agency for a long period of time.

MANAGEMENT AGREEMENTS FOR OPEN SPACE

DESCRIPTION OF STRATEGY

**Intergovernmental Partnership:** Federal, state, and local agencies form joint partnerships to own and manage land.

**Agency Transfer:** Government transfers excess land to another agency that can assume resource protection and management responsibilities.

**Land Exchange:** Land may be exchanged for another parcel that is more desirable for resource protection.

**Nonprofit Acquisition and Conveyance to Public Agency:** Nonprofit organization (such as land trust) buys a parcel of land and resells it to a local government or other public agency.

**Joint Venture Partnership:** Strategy used by public agencies and private organizations to accomplish projects serving mutual goals. For example, some government grant programs could be matched with both private contributions and public funds.

**Management Agreement:** Agreement between landowner and conservation agency to manage property to achieve resource conservation goals.

**Mutual Covenants:** Agreement between adjoining landowners to control future land uses through mutually agreed upon restrictions.

BENEFITS

Sharing the responsibilities and costs of acquisition and management can protect larger or more expensive properties. Can foster regional cooperation to preserve open space.

Resource protection and management with little additional expenditures.

Lower acquisition costs. Scattered properties can be exchanged for a single, larger parcel.

Nonprofits can often move more quickly to purchase and hold land until the public agency is able to buy it. Could reduce acquisition costs for public agency.

Partners share benefits, responsibilities, and costs of acquisition and management. Creates a coalition of support for protecting diverse resources. Brings diverse sources of knowledge and expertise to solve resource protection issues.

Owner may be eligible for direct payments, cost-share assistance, or other technical assistance from the agency. Management plan is developed based on owner's preservation aims.

Permanent: covenants can be enforced by any of the landowners or future landowners of the involved properties. Significant incentive to comply with restrictions, since all parties are aware of use controls. Can reduce property taxes.

DRAWBACKS

Partners must agree on management strategies in order to reduce potential for conflict. Agency budgets and acquisition criteria may restrict acquisitions. Slower response time: acquisition opportunities may be lost due to agency procedures. May remove land from tax base.

Excess property may not be suitable for resource protection. Obtaining fair market value for the property may be agency's priority.

Complicated process; not widely known and rarely used. Subject to IRS regulations. Property owners must be willing to participate, and properties must be of equal value.

Local government must be willing to purchase land and assume management responsibilities.

More complicated property management and decisionmaking. Conflicts in acquisition criteria and funding priorities must be resolved.

Mutual agreement is more easily terminated than a lease. Agreements are not permanent.

Loss in market value from mutual covenants does not qualify as a charitable deduction for income tax purposes.

## Appendix C: Funding

Note: Federal and state programs and budgets have been in a state of flux particularly with recent changes to federal law. Frequent review of programs is strongly recommended to assure this list is kept up to date.

### FEDERAL SOURCES

#### Southern Nevada Public Lands Management Act

Established in 1998, SNPLMA allows the Bureau of Land Management (BLM) to sell land and use revenue derived from the sale for specific programs throughout Southern Nevada, including the acquisition of open space and development of park and trail facilities. Under Round 6, more than \$468 million was awarded for a variety of urban, suburban and rural open space, trails and parks projects. The recommended strategies for open space acquisition, park and trail facility development that are defined in this Plan are specifically funded pursuits of SNPLMA funding.

#### SAFETEA

While generally a transportation-based program, the Safe, Accountable, Flexible and Efficient Transportation Equity Act of 2003 (SAFETEA) funds programs to protect the environment. Through increased funding to the Surface Transportation Program (STP) and the National Highway System (NHS), SAFETEA allows for more environmental projects. States may spend up to 20 percent of their STP dollars (used for transportation facility reconstruction, rehabilitation, resurfacing, or restoration projects) for environmental restoration and pollution abatement projects. Additionally, each state sets aside 10 percent of STP funds for transportation enhancement projects, which can include acquisition of conservation and scenic easements, wetland mitigation, and pollution abatement, as well as scenic beautification, pedestrian and bicycle trails, archaeological planning, and historic preservation.

#### Land and Water Conservation Fund

The Land and Water Conservation Fund is the largest source of federal money for park, wildlife, and open space land acquisition. The program's funding comes primarily from offshore oil and gas drilling receipts, with an authorized expenditure of \$900 million each year. However, Congress generally appropriates only a fraction of this amount. Between 1995 and 1998, no funds were provided for the state-and-local grant portion of the program, which provides up to 50 percent of the cost of a project, with the balance of the funds paid by states or municipalities.

LWCF funds are apportioned by formula to all 50 states, the District of Columbia and territories. Cities, counties, state agencies, and school districts are eligible for LWCF fund monies. These funds can be used for outdoor recreation projects, including acquisition, renovation, and development. Projects require a 50 percent match.

#### Natural Resources Conservation Service (NRCS) Programs

NRCS provides leadership in a partnership effort to help people conserve, maintain, and improve natural resources and the environment. Programs are available to sustain and improve agricultural productivity; provide cleaner, safer, and more dependable water supplies; reduce damages caused by floods and other natural disasters; and enhance natural resource bases that support continuing economic development, recreation, and other purposes. NRCS offers funding and technical assistance to reduce soil erosion and sedimentation, improve water quality, establish wildlife habitat, and enhance forest and wetland resources. Emergency programs are available for restoration on land impeded by natural disasters, including water conservation during drought. Assistance is available to purchase development rights to keep farmland in use. Many NRCS programs are cost/share, requiring matching funds.



**Emergency Watershed Protection (EWP):** The purpose of the Emergency Watershed Protection program is to undertake emergency measures, including the purchase of flood plain easements, for runoff retardation and soil erosion prevention to safeguard lives and property from floods, drought, and the products of erosion on any watershed whenever fire, flood or any other natural occurrence is causing or has caused a sudden impairment of the watershed.

**Forestry Incentives Program (FIP):** The Secretary of Agriculture established Forestry Incentives Program (FIP) to develop, manage, and protect non-industrial private forest land while encouraging the production of softwood and hardwood timber and other associated forest resources to ensure a continued future supply of timber products in the Nation.

**Grazing Land Conservation Initiative (GLCI):** The Grazing Land Conservation Initiative is a nationwide collaborative process of individuals and organizations working to maintain and improve the management, productivity, and health of the Nation's privately owned grazing land. This process has formed coalitions that represent the grass root concerns that impact private grazing land. The coalitions actively seek sources to increase technical assistance and public awareness activities that maintain or enhance grazing land resources.

**Farmland Protection Program**

The federal Farmland Protection Program (FPP) was created in the 1996 Farm Bill. This program is administered by the Natural Resources Conservation Service and provides federal matching funds for state and local farmland protection efforts. Funds are used to help purchase development rights to keep productive farmland in agricultural uses. Through this program the USDA provides up to 50 percent of the fair market easement value to acquire conservation easements or other interests from farmland owners. To be eligible for funding, a state, county or local jurisdiction must have a complementary program of funding for the purchase

of conservation easements, and grants are awarded competitively through the USDA's Natural Resources Conservation Service (NRCS). (For more information visit <http://www.info.usda.gov/nrcs/fpcp/fpp.htm>)

**Hazard Mitigation Grant Program**

This program provides financial assistance to state and local governments for projects that reduce or eliminate the long-term risk to human life and property from the effects of natural hazards. The grant program has 75 percent federal and 25 percent local contribution. The nonfederal share may be met with local cash contributions, in-kind services, or certain other grants such as Community Development Block Grants. The Federal Emergency Management Agency makes the final decisions on project eligibility, but the state agencies administer the program. Eligible projects include acquisition of property, retrofitting of buildings, development of standards with implementation as an essential component, and structural hazard control or protection measures such as dams and sea walls.

**Pittman-Robertson Act**

The Federal Aid in Wildlife Restoration Act, popularly known as the Pittman-Robertson Act, provides funding for the selection, restoration, rehabilitation, and improvement of wildlife habitat, and wildlife management research. Funds from an 11-percent excise tax on sporting arms and ammunition are appropriated to the Secretary of the Interior and apportioned to states on a formula basis for covering costs (up to 75 percent) of approved projects. The program is cost-reimbursement in nature, requiring states to apply for reimbursement of up to 75 percent of project expenses. At least 25 percent of the project costs must be provided by the state and originate from non-federal sources.

**Wetlands Reserve Program**

The Wetlands Reserve Program is administered through the Department of Agriculture's Natural Resources Conservation Service. This program provides landowners with financial incentives to restore

and protect wetlands in exchange for retiring marginal agricultural land. Landowners may sell a permanent or a 30-year conservation easement, or they may enter into a cost-share restoration agreement for a minimum of 10-years. Participating landowners voluntarily limit future agricultural use of the land. They continue to own and control access to the land, and they may lease the land for recreational activities. The amount of funding available in a given fiscal year depends on the amount of acres Congress permits to be enrolled in the program, and a per acre value is assigned in each state.

#### **Environmental Protection Agency (EPA) Wetland Program Development Grants**

The mission of the EPA Wetland Program is to encourage and enable others to act effectively in protecting and restoring the nation's wetlands and associated ecosystems, including shallow open waters and free-flowing streams. In doing so, the program engages in two principal categories of activities -- establishing national standards and assisting others to meet them. Wetland Program Development Grants (WPDGs) are intended to help recipients to build and refine any element of a comprehensive wetland program. Development Grants can be used to build and refine any element of a comprehensive wetland program. Eligible activities include planning, research, investigations, experiments, training, outreach, demonstrations, surveys, and studies in support of integration of wetland management into broad watershed protection approaches.

Develop a comprehensive monitoring and assessment program; improve the effectiveness of compensatory mitigation; and refine the protection of vulnerable wetlands and aquatic resources.

### **STATE OF NEVADA SOURCES**

#### **Ballot Question # 1**

State of Nevada received voter authorization to issue general obligation bonds in an amount of not more

than \$200 million to protect, preserve, and obtain the benefits property and natural resources throughout the state. Of the total bond issue, funding allocations will be made as follows:

1. \$27 million to Nevada's Division of State Parks for property acquisition or capital improvements and renovations;
2. \$27.5 million to Nevada's Division of Wildlife for property acquisition, facility development and renovation, or wildlife habitat improvements;
3. \$25 million to the Las Vegas Springs Preserve in Clark County for planning and developing the preserve, providing wildlife habitat, and constructing support facilities;
4. \$10 million to Clark County for development of a regional wetlands park at the Las Vegas Wash;
5. \$35 million to Nevada's Department of Cultural Affairs to establish a museum at the Las Vegas Springs Preserve;
6. \$10 million to Washoe County for enhancement and restoration of the Truckee River corridor;
7. \$65.5 million to Nevada's Division of State Lands to provide grants for state agencies, local governments, or qualifying private nonprofit organizations for various programs including recreational trails, urban parks, habitat conservation, open spaces, and general natural resource protection projects.

This program is administered by the Nevada Division of State Lands, which implements a grants program to distribute Question 1 funding.



### **Nevada Tax Program for Open Space**

In 1991, the Nevada State Legislature passed legislation (NRS 376A.020) that enables local governments to solicit voter approval of tax increases to help fund the acquisition and maintenance of open space land. Funds from these tax increases would provide a dedicated and immediate funding source to implement a local or regional Open Space Program. Before any of these tax increases may be imposed, a local or regional Open Space Plan must be adopted, and taxpayers must approve any increase by a majority vote during a general or special election. The three authorized types of increases are:

- 1) A sales tax increase of up to 1/4 of 1 percent for land acquisition and maintenance. This type of funding is ideal because it not only obtains funds to acquire the land, but also to maintain it in the future.
- 2) A real estate transfer tax increase of up to 1/10 of 1 percent to be used for land acquisition only.
- 3) A property tax increase of up to one cent on each \$100 of assessed valuation to be used for maintenance of open space only.

Funds from taxes can be used to acquire land in fee-simple, purchase development rights and to create an open space trust fund. Funding pays for planning the acquisition and related administrative acts, and for operation and maintenance of open space land. Funds raised from these taxes cannot be used for any neighborhood or community park or facility, but may be used for undeveloped portions of regional parks.

### **Nevada Parks and Wildlife Bond Act** (Funding Source Not Currently Active)

The Nevada Parks and Wildlife Bond Act passed in 1990 and provided \$47.2 million. The bond provided \$28.9 million to both the Nevada Divisions of Wildlife and Nevada Division of State parks for land and water right acquisitions and capital improvements at existing state facilities. Funds were also allocated to Clark

County (\$13 million) and Washoe County (\$6 million) to assist those local communities in their open space planning and land acquisition needs. The bond also included funding for the Nevada Natural Heritage Program (\$400,000), as well as a \$3 million loan opportunity to Clark County to help launch the Desert Tortoise Habitat Conservation Plan. By early 2000, of the original \$47.2 million approved by Nevada's voters, \$45,338,298 have been expended or obligated. Due to interest generated by Clark and Washoe Counties, the remaining balance is \$4,338,298. All agencies indicate that remaining bond funds were spent by the close of 2001.

### **Nevada Recreational Trails Fund Grants**

The Nevada Recreational Trails Fund Grants originate from TEA-21 federal funding and is administered by the Nevada State Parks. Grant applications are submitted on an annual basis to State Parks, and funding is distributed to selected recipients. Eligibility for grants extends to any local government, non-profit organization, tribal government or service group. Projects that are funded must be free of charge and open for public use. Grant funds can be used for trail development, maintenance, acquisition of easements and fee-simple property and operation of educational programs. The maximum grant award is \$100,000. The program operates as an 80/20 match, requiring the sponsoring entity to supply 20 percent in cash or qualified in-kind labor. The program operates as a reimbursement of completed and qualified projects.

### **Environmental Quality Incentives Program - Nevada**

The Environmental Quality Incentives Program (EQIP) was re-authorized in the Farm Security and Rural Investment Act of 2002 (Farm Bill) to provide a voluntary conservation program for farmers and ranchers that promotes agricultural production and environmental quality as compatible national goals.

EQIP is administered by the Natural Resource Conservation Service (NRCS). EQIP offers contracts



## APPENDIX C: OPEN SPACE FUNDING



that provide incentive payments and cost sharing for conservation practices, such as water conservation, animal waste management systems, erosion control, and other practices to improve and maintain the health of natural resources and the environment. NRCS gives higher priority to applicants that use cost-effective conservation practices, treat multiple resource concerns, address national, state, or local priorities, and provide the most environmental benefits.

The following programs are of statewide concern:

- 1) Animal feeding and confined feeding operations (major emphasis is placed on those practices that address animal waste, storage and utilization);
- 2) Water quality pilot projects with Nevada Department of Environmental Protection;
- 3) Ground and surface water conservation (the intent of this emphasis area is to fund only irrigation water management related projects where irrigation efficiencies can be improved to an identified threshold level);
- 4) Indian reservation projects; and
- 5) Pest management (noxious and invasive and weeds of local concern).

## LOCAL SOURCES

### Revenue Bonds

Revenue bonds are bonds that are secured by a pledge of the revenues of a local government. A local community pledges to generate sufficient revenue annually to cover the program's operating costs, plus meet the annual debt service requirements (principal and interest payment) times a factor, termed the coverage factor, which is designed to provide additional protection to the bondholders. The coverage factor generally ranges from 110 to 150 percent of the utility's annual or maximum annual debt service requirement in the current or any future year. Revenue bonds are not constrained by the debt ceilings of general obligation bonds, but they are more expensive than general obligation bonds.

### General Obligation Bonds

A local government can also issue general obligation (G.O.) bonds that are secured by the full faith and credit of the community. In this case, the community pledges to generate sufficient revenues to make the debt service payments on the bonds. A general obligation pledge is stronger than a revenue pledge, and thus may carry a lower interest rate than a revenue bond. Frequently, when local governments issue G.O. bonds for public improvements, the community will make the debt service payments on the G.O. bonds with revenues generated through the public entity's rates and charges. However, if those rate revenues are insufficient to make the debt payment, the local government is obligated to raise taxes or use other sources of revenue to make the payments. G.O. bonds distribute the costs of open space acquisition and makes funds available for immediate purchases. Voter approval is required.

### Sales Tax for Open Space

Sales Tax programs are becoming increasingly popular for creating funding sources for open space protection. In Colorado, the Douglas County Open Space Program was created in 1994 with the passage of a sixth-of-a-cent sales and use tax, which generates approximately \$6 million annually. Douglas County has purchased land at market prices, however much of the program's revenue stream is committed to bond payments. Also in Colorado, the Jefferson County Open Space Program was established in 1972 using a one-half of one percent sales tax to support planning, acquiring and maintaining open space land. In 1998, Jefferson County voters authorized an additional \$160 million in GO bonds for the program.

### Impact Fees

Impact fees, which are also known as capital contributions, facilities fees, or system development charges, are typically collected from developers or property owners at the time of building permit issuance to pay for capital improvements that provide capacity to serve new growth. The intent of these fees is to



avoid burdening existing customers with the costs of providing capacity to serve new growth (“growth pays its own way”). Open Space impact fees are designed to reflect the costs incurred to provide sufficient additional capacity in the system to meet the additional needs. These charges are set in a fee schedule applied uniformly to all new development. Utilities strive to ensure that impact fees reflect customers’ demands on the system. Communities that institute impact fees must develop a sound financial model that enables policy makers to justify fee levels for different user groups, and to ensure that revenues generated meet (but do not exceed) the needs of development. Detractors of impact fees frequently point to the issues that impact fees make housing less affordable, that financed projects must be directly linked to new development, and that negotiating with developers requires some expertise.

If the communities of Southern Nevada are interested in pursuing the collection of impact fees for Open Space acquisition, they should seek legal counsel on the legality of these fees, or seek special legislation authorizing the collection of these fees.

### **In Lieu of Fees**

An alternative to requiring developers to dedicate Open Space that would serve their development, some communities provide developers a choice of paying a front-end charge for off-site Open Space protection to serve the new development, as opposed to requiring the developer to dedicate the Open Space on-site. Payment would be a condition of development approval, and would recover the cost of the off-site Open Space acquisition or the developments proportionate share of the cost of a regional parcel serving a larger area.

### **Mitigation Banking**

Developers could be required by local governments to mitigate the impacts of their development on wetlands, streams, or animal habitat. For every acre of wetlands, streambed, or habitat that their development

destroys, the developer is typically required to create other wetlands, habitat, etc to mitigate the impact of the development. Developers could mitigate these impacts on the site of their development or nearby. If a mitigation bank were available, developers could also satisfy this requirement by purchasing credits from a mitigation bank. Mitigation banks are created by property owners who restore and/or preserve their land in its natural condition; such banks have been developed by public, nonprofit, and private entities. In exchange for preserving the land, the “bankers” get permission from the state (or an appropriate Federal agency) to sell mitigation banking credits to developers wanting to mitigate the impacts of their proposed development. By purchasing the mitigation bank credits, the developer avoids having to mitigate the impacts of their development on site. Public and nonprofit mitigation banks generally use the funds generated from the sale of the credits to fund the purchase of additional land for preservation and/or for the restoration of the lands to a natural state.

## **PRIVATE SOURCES**

### **National Fish and Wildlife Foundation**

The National Fish and Wildlife Foundation funds projects to conserve and restore fish, wildlife, and native plants through matching grant programs. The Foundation awards matching grants to projects that address priority actions promoting fish and wildlife conservation and the habitats on which they depend, work proactively to involve other conservation and community interests, leverage Foundation-provided funding, and evaluate project outcomes. Federal, state, and local governments, educational institutions, and nonprofit organizations are welcomed to apply for a general matching grant throughout the year. In addition to the general matching grant and small grant programs, the Foundation administers a number of special grant programs with specific guidelines and time-lines. If your project does not meet the criteria of any program described below, please consider applying under the general matching grant program.

Also, please note, if your project is not funded under the grant program for which it was submitted, Foundation staff may move your project to the general matching grant program or a different special grant program if it has the potential of being funded under it.

### **NFWF Migratory Bird Conservancy**

The Migratory Bird Conservancy (MBC) is a bird conservation grant fund supported by donations from birding businesses and their customers. Grant awards are made through the National Fish and Wildlife Foundation (NFWF) and are typically federal in origin. The MBC will fund projects that directly address conservation of priority bird habitats in the Western Hemisphere. Acquisition, restoration and improved management of habitats are program priorities. Education, research and monitoring will be considered only as components of actual habitat conservation projects.

Proposed projects are evaluated based on the:

- 1) Importance to Partners in Flight Watch List species;
- 2) Priority of the proposed conservation action within regional or state Partners in Flight, North American Bird Conservation Initiative, or other conservation plans;
- 3) Benefits of proposed project to other nearby conservation areas, such as National Wildlife Refuges;
- 4) Viewing opportunities for birders, and actual or potential volume of visitation;
- 5) Additional partnerships; and
- 6) Matching funds ratio.

### **Kodak Grants Program**

Kodak, The Conservation Fund, and the National Geographic Society, provide small grants to stimulate the planning and design of greenways in communities throughout America. The annual grants program was instituted in response to the President's Commission on Americans Outdoors recommendation to establish a national network of greenways. Made possible by

a generous grant from Eastman Kodak, the program also honors groups and individuals whose ingenuity and creativity foster the creation of greenways.

Since 1993, the American Greenways Program of The Conservation Fund has acknowledged individuals, organizations, corporations and public agencies for their exemplary leadership and efforts to enhance the nation's outdoor heritage. The Conservation Fund has partnered with the Eastman Kodak Company to honor these leaders through the Kodak American Greenways Awards program.

The Conservation Fund and Kodak accept nominations of individuals, organizations, corporations and public agencies that should be recognized for outstanding achievement related to the creation of greenways, blueways, trails and open space systems throughout America. The recipients of the Kodak American Greenways Awards Program will be invited to attend an awards ceremony at the National Geographic Society Headquarters in Washington DC. The program typically honors 3-4 awardees each year.

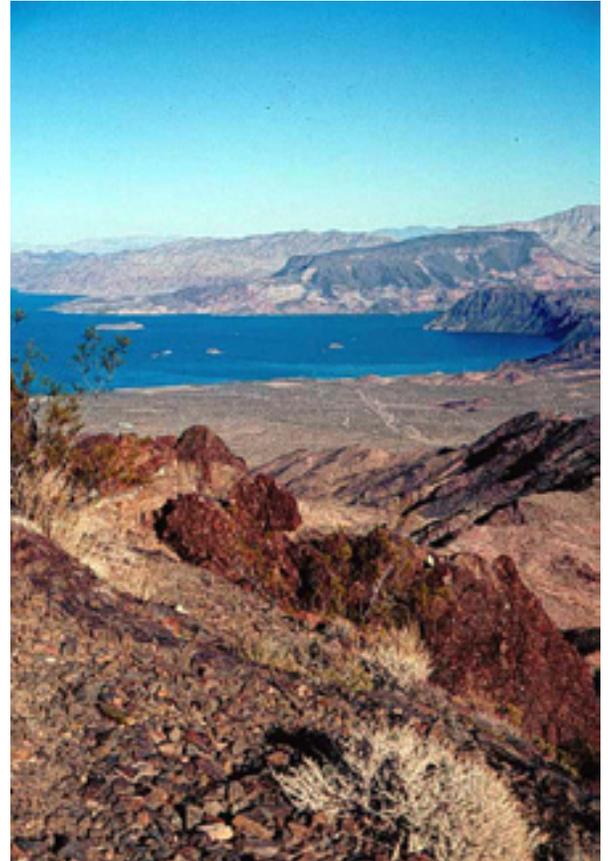
### **Land Donations**

While land donations are an inexpensive way to acquire property, it is imperative that donated parcels be considered critically in relation to the overall Open Space management strategy and its implementation costs. It is possible for donated parcels to augment a well-designed system of connected parcels, environmentally significant landscapes, or culturally valuable sites. However, it is unlikely that the most valuable parcels will be donated as a matter of coincidence. In fact, Southern Nevada communities will want to be selective in the parcels it accepts as donations. Careful consideration will be needed before deciding that the cultural and/or environmental benefits of a donated parcel outweigh the management and maintenance expense of adding it to the overall system.



### **Nonprofit Partners**

Nonprofit organizations are capable of raising money from individual and corporate donors, large grant foundations, and state and federal grant programs. Partnering with land preservation foundations is often a beneficial arrangement for public agencies. Some granting authorities have policies that prohibit awarding grants directly to governmental agencies, or will only grant funds when a nonprofit agent is involved. Developing an agreement, in support of the Southern Nevada Regional Open Space Program, with a land conservation foundation could produce financial benefits and other support for the preservation and protection of Open Space. Corporate partnerships are also worthy of cultivation. Their funds can be used as local matches for grants, and they can play leadership roles in civic activities and promotions.



View of Lake Mead from Black Mountain

## Appendix D: Alternate Organizational Strategies

Through the planning process, a variety of methods for establishing and coordinating a metro-wide open space program in Southern Nevada were examined. Four specific scenarios of coordination (or governance) were considered and are profiled below and on the following pages. Example organizations from different parts of the nation are featured to provide more detail on how each of these models was developed.

### **Option A: Enter into a Formal Agreement**

SNRPC members sign a Memorandum of Agreement (MOA) to coordinate open space conservation and protection. The MOA would define in specific terms the specific strategies of each member organization in carrying out the mission and goals of open space conservation. The MOA would reflect the ability of each community to act independently, and at the same time in a cooperative manner. Similar MOA's have been effectively employed across the nation and offer a good model for establishing a working relationship among regional governments.

*Pros: An effective way to establish an enduring and credible program with clear direction and leadership.*

*Cons: Will require staff time for coordination. Requires recruiting broad support and a comfort level among the myriad communities and jurisdictions.*

*Example:*

#### **Camden County Open Space Program**

The Camden County Open Space Preservation Trust Fund Advisory Committee was appointed by the Camden County Board of Chosen Freeholders for purposes of providing guidance regarding implementation of the Trust Fund and the principles of Open Space preservation that it represents. This diverse committee consists of:

- Four mayors of municipalities within the county (with equal representation of both major political parties)

- Three representatives of local recreation offices or organizations
- Three representatives of Camden County government, consisting of the Directors of the Department of Parks, the Division of Environmental Affairs, and the Division of Planning
- One representative from the Camden County Agricultural Development Board and the Camden County Board of Realtors
- Four at-large representatives consisting of interested citizens not affiliated with any of the of the above groups (including a farm owner within the County)

The Committee has conducted an inventory of all existing open space in the County, as well as a guidance document to assist in evaluating properties for potential preservation action through use of the Trust Fund. The Committee seeks public input regarding identification of open space, recommendations for preservation of specific sites, and suggestions pertaining to procedural issues. The County makes use of MOA's with its municipal and private sector partners to carry out the objectives of its plan. These MOA's describe the roles and duties of each partner with respect to open space conservation, operation and management.

### **Option B: Expand the Partnership**

SNRPC members establish the "Southern Nevada Open Space Partnership" (SNOSP). The new partnership would include private sector land conservation organizations (such as Outside Las Vegas Foundation), civic groups, and for-profit corporations that are interested in conserving open space resources. The partnership would execute a series of MOA's to define the best method for identifying, conserving and managing open space resources.

*Pros: Adds an important private-sector and non-profit component to regional open space coordination.*



*Brings in significant resources including staffing and entrepreneurial opportunities.*

*Cons: Will require SNRPC staff time for coordination. Requires community and private sector support of concept and firm commitment to work together to achieve results.*

*Example:*

**Partners for Open Space and the Environment, Wake County NC**

Wake County, North Carolina has taken several important steps towards the implementation of county-wide open space program. First, the county developed a detailed open space plan, second, the county established Partners for the Open Space and the Environment, POSE, a confederation of 12 municipalities and the county. Third, the county established an Open Space Advisory Committee. The Open Space Advisory Committee (OSAC) is an eight-member citizen group appointed by the Board of Commissioners to advise it on open space preservation issues. The group was first appointed in 1997 as the Open Space Task Force. Finally, the county has strengthened its staff positions, adding the position of open space planner.

The Wake County Open Space Program serves to address and resolve the following goals and objectives:

1. Develop a clear understanding of the importance of maintaining open space resources in order to define a vision for the role of open space in Wake County.
2. Identify specific types of open space to be included in Wake County's open space program.
3. Develop criteria for identifying and prioritizing open spaces to be acquired and/or maintained.
4. Identify options for the acquisition and conservation of these open spaces.
5. Propose incentive methods to encourage property

owners to conserve open space resources.

6. Proposed funding mechanisms for acquiring appropriate public interest in open space resources.
7. Build support with community organizations for an open space preservation program.
8. Ensure that action is taken on the recommendations of the Committee.

Currently the major role of the POSE and OSAC is the review of the Open Space Partnership Grant Program applications, public education, implementation of the 2000 Bond Referendum, pursuing a permanent funding source, and continuing to work with the Board of Commissioners and staff to implement the Open Space Program.

**Option C: Vision and "Virus" Model**

The Vision and "Virus" Model refers to when a local government (ie. Clark County, City of Henderson or City of Las Vegas) or private sector group (ie. Outside Las Vegas) leads a region in the implementation of an open space initiative - by proof of concept and example. Under this model, other communities follow suit, inspired by the example, rather than any single plan or authority, and joins the lead of local government or non-profit, emulating the policies and practices that the lead group has used to implement open space conservation.

*Pros: Can be implemented quickly since individual communities or jurisdictions can enact programs, policies and projects inspired by the overall vision but not requiring a more cumbersome regional coordination effort. Success can lead to more success.*

*Cons: Less of a coordinated effort and must rely on impetus at the local level. This may or may not happen.*

*Example:*



**Peninsula Open Space Trust, San Francisco, CA**

The Peninsula Open Space Trust (POST) is a nonprofit land trust dedicated to preserving the beauty, character and diversity of the San Francisco Peninsula. Since its founding, POST has protected more than 40,000 acres of San Francisco Peninsula Open Space. POST is an example of a **private-sector** organization. POST partners with many organizations in the Bay Area to protect land, principal among them the Mid-Peninsula Regional Open Space District. The district was established in 1972 to create a regional greenbelt of open-space lands linking district preserves with other parklands. The district also participates in cooperative efforts such as the Bay Trail, Ridge Trail and Skyline-to-the-Sea Trail. The district encompasses 16 cities and three counties. POST works to buy and preserve land. POST utilizes a combination of public and private funds to support its activities. POST sells land to local, state and federal government agencies for management purposes as public monies become available for the transactions. One of POST’s recent campaigns was to raise \$33.5 million in private-sector funds to protect more than 12,500 acres of land in the Bay Area.

POST is governed by a 15-member board of directors. Directors come from some of the most influential private sector and philanthropic organizations in the Bay Area. A 34-member Advisory Council that is comprised of private-sector representatives supports the board in its work. POST employs a four-person staff consisting of a president, two vice-presidents and one Director of Stewardship.

*Example:*

**Jefferson County Colorado Open Space Program, Denver, CO (See also Chap 5, Section II, Recommendation 2).**

Over three decades ago, community activities concerned about the lost of open space and the degradation of the mountain backdrop of the Greater Denver area initiated an open space sales tax. This funded the creation and sustenance of an open

space program. Leadership comes from and Open Space Advisory Committee appointed by the County Commissioners.

Since its inception the program has preserved tens of thousands of acres of vital open space, built many miles of trails and has a sustainable high-quality operations and maintenance program. In the decades that ensued, virtually all of the other counties—most very taxation conservative—surrounding the city of Denver Metro have adopted the Jefferson County model and have successfully implemented similar programs. While no regional authority was created, the model has been successfully “replicated” and has been the single most important local mechanism in preserving the Metro Denver outdoors legacy.

*Example:*

**The South Suburban Park Foundation, Denver, CO**

The South Suburban Park Foundation, Inc. was formed in 1979 with the mission of enriching the environment and improving open space and recreational opportunities for residents of the south suburban communities of metropolitan Denver. A private sector, nonprofit organization, South Suburban Park Foundation (SSPF) is an advocacy group that has served as master planner and builder of several significant greenway projects, including the award-winning Mary Carter Greenway and 10,000 Trees, a stream bank revitalization and reforestation project.

The intent of SSPF is to leave a legacy of greenways, trails and open space in the south Denver metro area. The trustees and supporters are committed to realizing this objective through partnerships between the foundation and private citizens, government agencies, corporations or philanthropic institutions. The Foundation offers a means for these individuals and groups to contribute funds, goods or volunteer



## APPENDIX D: ALTERNATE ORGANIZATIONAL STRATEGIES

efforts toward shared community objectives. The foundation has received numerous awards for its outstanding work.

The South Suburban Park Foundation is a membership organization that accepts and encourages grants, donations and contributions from public and private sources. The Foundation is a tax-exempt, not-for-profit corporation. SSPF is structured with an 11-member Board of Directors, and has contracted with a project developer and technical consultants during its 17-year history. The organization partners with local government agencies to plan and implement most of its projects. It also partners with other private-sector groups, including corporations, to implement activities.

### **Option D: Regional Open Space Authority**

This strategy would involve the development of a new regional governmental entity is established in Southern Nevada with the expressed purpose of conserving open space resources. The authority is vested with all responsibility for regional open space conservation. Such an authority would have the ability to raise its own revenues, would be responsible for regional conservation projects and would partner with local governments to carry out its duties. The authority would have to be created through special state legislation. The authority would have its own staff. Regional authorities have been established across the nation for a variety of reasons. Santa Clara County, CA is an example of a community that has established an Open Space Authority that may be similar in mission to a proposed Southern Nevada Open Space Authority.

*Pros: A one-stop shop for all issues related to open space conservation. Is structured to have both authority and financing to carry out objectives.*

*Cons: Another layer of bureaucracy. Under current "coalition" model of regional cooperation, this is a giant leap in terms of governance.*

*Example:*

### **Santa Clara County Open Space Authority**

The Santa Clara County Open Space Authority was created by the State Legislature in response to efforts by citizens and local governments of Santa Clara County. The Authority is governed by a directly elected seven-member board of directors, each representing a unique district. The Authority is comprised of the cities of Campbell, Milpitas, Morgan Hill, Santa Clara and San Jose, as well as much of the unincorporated areas of Santa Clara County.

The Board has defined the Authority's purpose as: *Preservation of Open Space and creation of greenbelts between communities, lands on the valley floor, hillsides, viewsheds and watersheds, baylands and riparian corridors, are immediate high priorities. These are needed to counter the continuing and serious conversion of these lands to urban uses, to preserve the quality of life in the County and to encourage outdoor recreation and continuing agricultural activities. Development and implementation of land management policies that provide proper care of open space lands, allow public access appropriate to the nature of the land for recreation, are consistent with ecological values and compatible with agricultural uses.*

The Open Space Authority has a nine member staff that handles all duties of the organization and is headed by a General Manager. The Authority also established a Citizens Advisory Committee (CAC). The CAC's purpose, as established by the Board of Directors, is to provide public input to the Authority regarding policy matters, provide a channel of communication to the Board, aid in fostering a positive public image of the Authority, and help to educate the public about the Authority's goals and accomplishments. CAC members are appointed by the Board and serve for two-year terms ending in June or until the current term ends. The CAC is comprised of 16 members made up of seven district representatives and nine interest group representatives. District representatives consist of the seven districts that are the same boundaries as each of the Directors elected to serve on the Board. Interest



## APPENDIX D: ALTERNATE ORGANIZATIONAL STRATEGIES



group representatives consist of Agriculture, Community Development, Environmental/Open Space, Parks, Business, Labor, Trails, Civic Organizations, and Education.

The Authority's 5 Year Plan states that it should complete at least one acquisition representing each of the following open space goals:

Hillside preservation that is visible from the valley floor.

- Valley floor preservation that includes wetlands, baylands, riparian corridors or other unique habitats.
- Agricultural preservation.
- Segment of regionally significant trail.
- Segment of a greenbelt between cities.
- Urban open space.

The Authority is now in its sixth year of acquiring open space and has preserved over 9,000 acres throughout its boundaries.



Trail underpass in Henderson, Nevada.