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**Statement on  
HR 765, the Nellis Dunes National Off-Highway Vehicle Recreation  
Area Act of 2009**

**Subcommittee on National Parks, Forests and Public Lands  
November 5, 2009**

Chairman Grijalva, Congressman Bishop, and members of the sub-committee thank you very much for holding a hearing today on HR 765, the Nellis Dunes National Off-Highway Vehicle Recreation Area Act of 2009. On behalf of the Clark County Commission, I am pleased to be here today to provide our testimony in support of this bill. We appreciate the time and effort that Congressman Heller, along with Congresswomen Berkley and Titus, and their respective staff, have committed to the development of this bill. Since its introduction, the project has become more developed and refined. With a few changes to the original bill, we believe Nellis Dunes can become a showcase destination for off-highway enthusiasts from around the western United States.

The Nellis Dunes National Off-Highway Vehicle Recreation Area is located on BLM land in the northeast area of the Las Vegas valley. It is an area that has been a favorite riding area for off-highway enthusiasts since the early 1970's. With the explosive growth in Southern Nevada, and the need to address encroachment, air quality regulations, public safety and environmental issues, the Board of Clark County Commissioners recognized the need to set aside a dedicated area for local off-highway enthusiast.

The challenge has been to balance protection of land, neighborhoods and the environment while promoting safe, appropriate areas for popular recreation activities. HR 765 directs a special designation of 10,902 acres of Bureau of Land Management (BLM) open lands for the purpose of developing a fiscally sustainable federal and county off-highway vehicle area. Of the 10,902 acres, approximately 8,973 acres would receive special designation status for passive off-highway vehicle recreation to be managed by the BLM. Approximately, 1,211 acres would be conveyed to Clark County for development of an active off-highway recreation park. An additional 718 acres would be conveyed to Nellis Air Force base to provide additional protective zones.

### **BENEFITS**

HR 765 provides numerous benefits to southern Nevadans. First, the off-road community as a whole will have a permanent location to ride within the Las Vegas Valley instead of driving several hours to California, Utah or Arizona. This permanent location will also provide relief with the recent closures of off-highway areas and open lands in Nevada. Second, the mission of Nellis Air Force Base will be permanently protected from encroaching development by designating this area as recreation. Safety zones will be created for Nellis Air Force Base to protect both the off-highway community and Nellis Air Force Base pilots as the boundaries of the park were coordinated to correspond to Nellis Air Force Base's Live Ordinance North Departure corridor. Third, the illegal ATV/off-road use on federal and private lands and dust emissions in the Las Vegas Valley will be reduced by having a designated off-highway area. This project will improve air quality by minimizing dust levels with the watering of track facilities and development of hard surfacing on the park trail loop, staging and parking areas. The project also protects the surrounding federally owned lands and sensitive plants and animals.

Fourth, the BLM and the County have jointly come up with a creative and innovative sustainable economic development approach to fund Nellis Dunes. Both the BLM and the County can pay for management of the Park through revenues from users of the economic support area.

Through a series of meetings over the last three years, the County has formed a stakeholders group with the BLM and Nellis Air Force Base, and other interested parties and has negotiated an inter-local agreement outlining how the Nellis Dunes lands would be managed to protect the mission of Nellis Air Force Base. The County values the working relationship with our stakeholders, residents of Southern Nevada, and is proud of our local citizen's advisory committee for their commitment to reach consensus on the development of Nellis Dunes National Off-Highway Vehicle Recreation Area.

Clark County residents have devoted hundreds of hours in our efforts to develop the County's proposal for an off-highway vehicle facility. The Nellis Dunes Citizens Advisory Committee, including representatives of Nellis Air Force Base and BLM and the County Commission, have met on a monthly basis over this past year to gather community input, and to build key stakeholder partnerships and refine the recreation area proposal. In addition, Clark County has held dozens of citizen outreach meetings, conducted tours, and spent countless hours with off-road vehicle organizations and associations to educate the public and gain support. To date, the County has received well over 2,000 letters, emails and web page comments in support of the proposed recreation area. I am submitting for the record a copy of the inter-local agreement and the public comments and support letters that the County received throughout its two year public process.

## **THE LEGISLATION**

More specifically, HR 765 conveys to the County 1,000 acres for the construction of a master planned off highway vehicle park which would provide venues for off-road racing activities from motocross, ATV, and truck racing to pit bike, rock crawling, and hare scrambles races to name a few. The County is taking on the role of providing for more active off-highway recreation through a developed and organized motor sport facilities park which would also provide for a variety of race tracks for the more avid off-roader. The County believes the development of these facilities can best be master planned, developed, constructed and maintained by our local Parks and Recreation Department which just dedicated a similar themed park for recreational target shooting on 2,900 acres of land conveyed in 2002 by Public Law 107-350.

Additionally, the County seeks an additional 211 acres for support facilities next to the Las Vegas Motor speedway to provide for overflow parking, repair and maintenance of OHV's (which have a tendency to break quite often), and other economic support services, including facilities for food and fuel. We anticipate that Nellis Dunes will attract thousands of visitors to both the County and BLM off highway areas and will be marketed as a destination by the Las Vegas Convention and Visitor's Bureau. The County is proposing a 50/50 net proceeds partnership with BLM, requesting that any funding generated from the economic support facility area be specifically dedicated for use at Nellis Dunes for maintenance, capital improvements, public safety, education, air quality improvements and to mitigate potential impacts to plants and animals, while protecting nearby environmentally sensitive lands.

The County and BLM share common goals and objectives to administer and improve Nellis Dunes for regional off-highway vehicle enthusiasts. Nellis Dunes Recreation has been

planned as a joint project. Both the County and BLM share the economic burdens of police, fire, medical response, and policing illegal off highway use in the greater Las Vegas Valley. As a partner with Clark County, BLM will operate and maintain control of the larger areas of the Nellis Dunes Recreation Area by providing opportunities for open, unrestrictive riding of the existing trails and dunes. After recovering costs of infrastructure improvements such as venue facilities, parking and roadways, the County will share the net proceeds with the BLM equally. We request language providing that BLM's share be contributed to a special account to be used by the BLM for the sole benefit of developing and managing its 8,900 acres of the Off-Highway Park.

Since the introduction of HR 765, the map identified in the legislation has been modified for the protection of four sensitive security areas to Nellis Air Force Base by creating buffer zones and a clear flight departure corridor that will be void of any permanent buildings. Additionally, the modified map now excludes areas east and southeast including the exclusion of an active mining claim area. These changes are reflected in the map dated October 15, 2009.

Again, thank you Mr. Chairman and members of the sub-committee for the opportunity to provide written comment and testimony on the proposed bill. I would be happy to answer any questions you may have about this legislation.