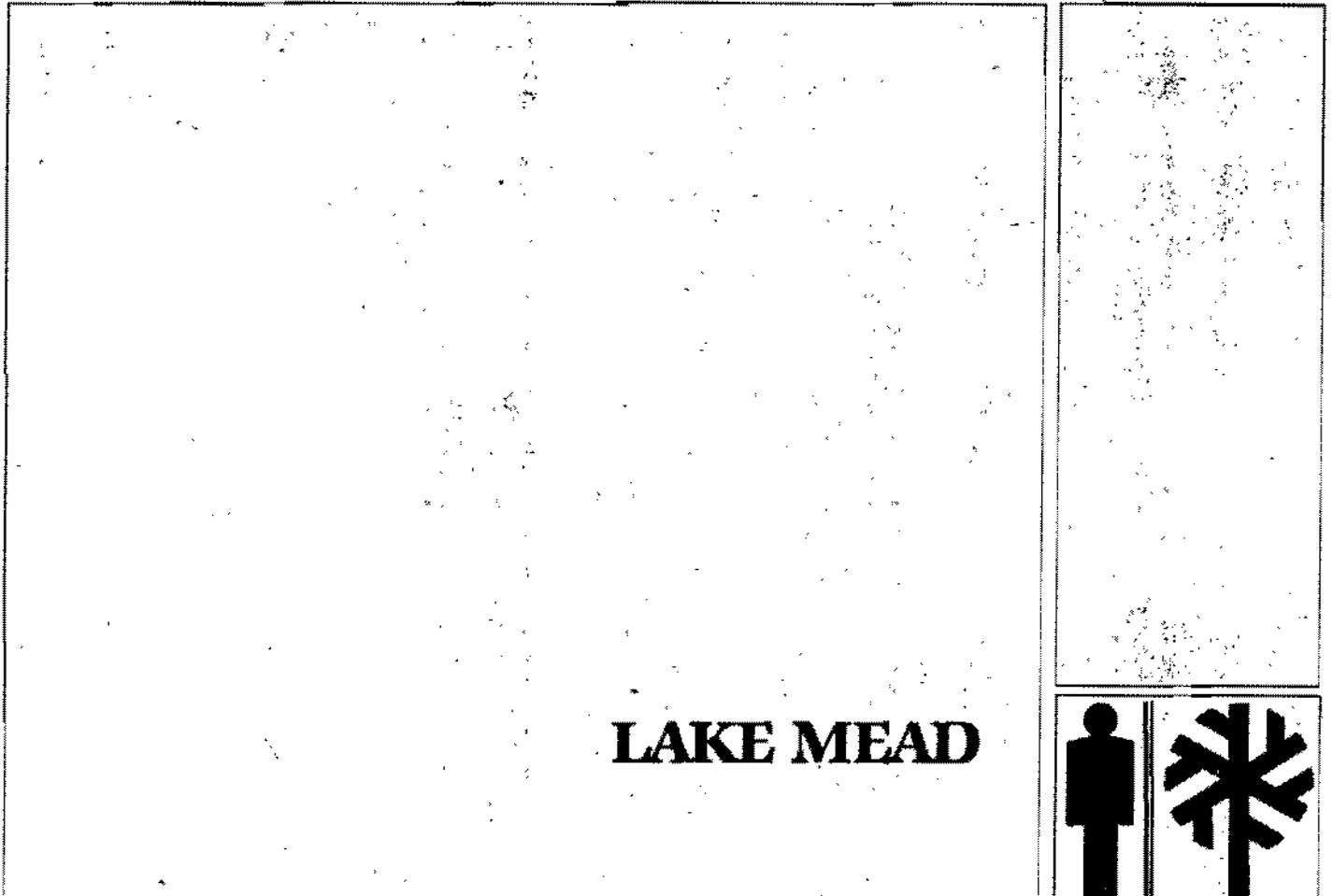
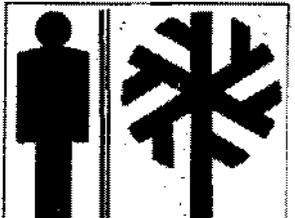


Land Protection Plan



LAKE MEAD



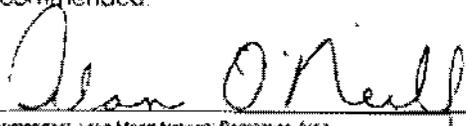
LAKE MEAD NATIONAL RECREATION AREA/ARIZONA-NEVADA

December 1987

U.S. Department of the Interior/National Park Service

LAND PROTECTION PLAN
Lake Mead National Recreation Area
Nevada-Arizona

Recommended:



Superintendent, Lake Mead National Recreation Area



DATE

Approved:



Regional Director, Western Region



DATE

National Park Service
U.S. Department of the Interior



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Summary

The following Land Protection Plan discusses the current land ownership at Lake Mead National Recreation Area (Nevada/Arizona) and makes recommendations on how to protect lands which are not in federal ownership, or which are outside National Park Service jurisdiction but within Recreation Area boundaries. A statistical summary follows:

1. Current Ownership	acres
Federal (NPS jurisdiction)	1,485,511.37
Federal (Bureau Reclamation jurisdiction)	4,488.47
State and County	2,411.08
Private	8805.47
Number of tracts remaining to be protected	
State and County (5 Az, 1 Nv, 1 Clark Cty)	7
Private	156
In less than fee ownership (mineral rights)	33
Methods of protection proposed	acres
Acquisition in fee (priority 1)	3,985.97
Acquisition in fee (priority 2)	300.00
Acquisition in fee (priority 3)	1,105.00**
Acquisition in fee (priority 4)	157.53
Deletion from NRA by boundary revision	5,588.72
Resolve validity of mineral rights	53,585.58
Continue Bureau of Reclamation jurisdiction	4,488.47
Statutory Acreage Ceiling	1,813,354.87

Funding status

Authorized acquisition ceiling	\$7,100,000
Appropriated to date	6,050,000
Obligated to date	5,927,780
Unobligated balance	122,220*

Top priorities

Acquire lands in the Greggs Basin area.
Acquire lands on the Virgin and Muddy rivers near Overton
Acquire mineral interests owned by the railroad on the Shivwits Plateau.
Acquire lands in section 7 area of meadview.
Acquire all Arizona State Lands through exchange

*funds listed under unobligated balance are no longer available.

4/2000

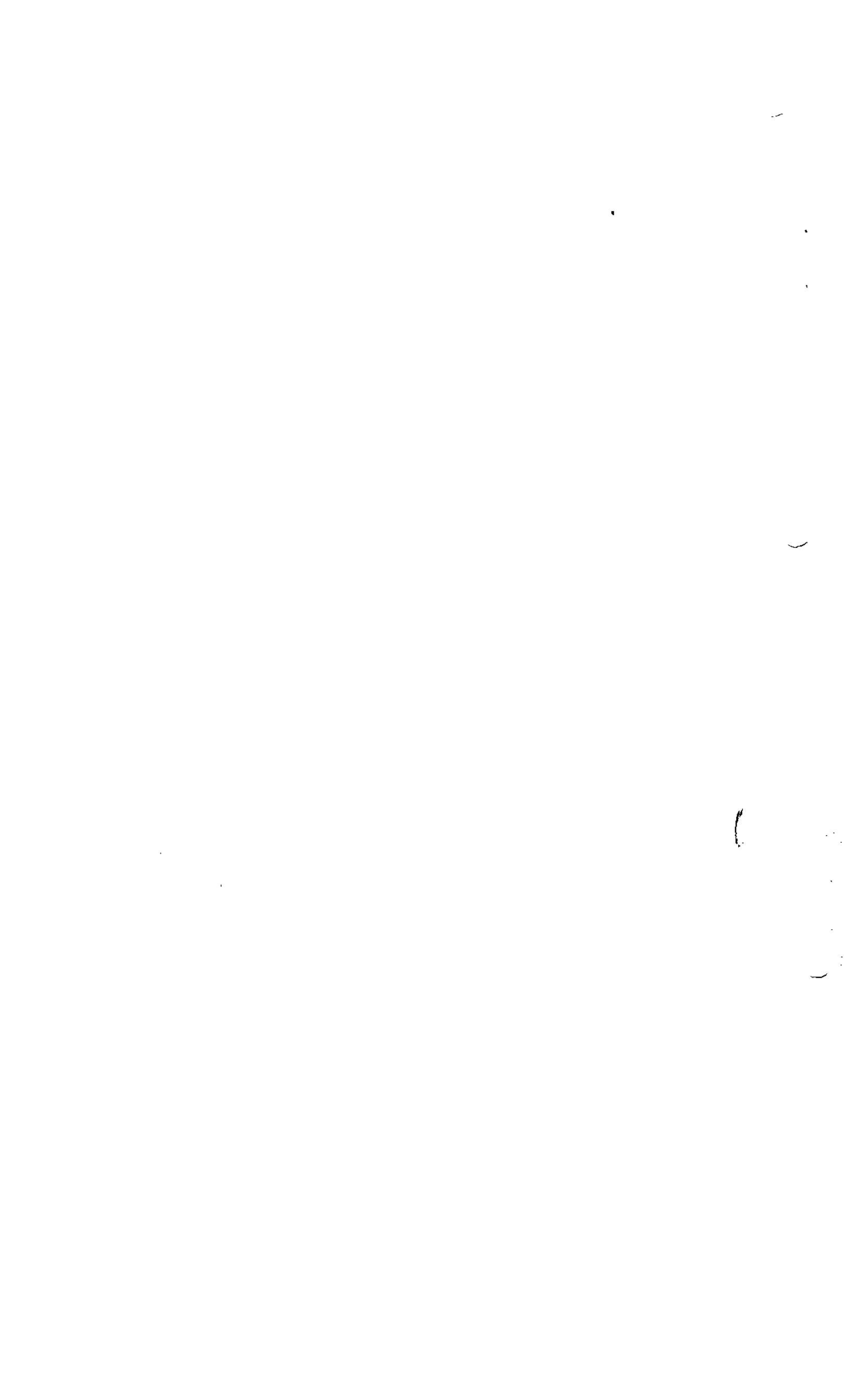


SUMMARY

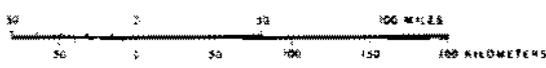
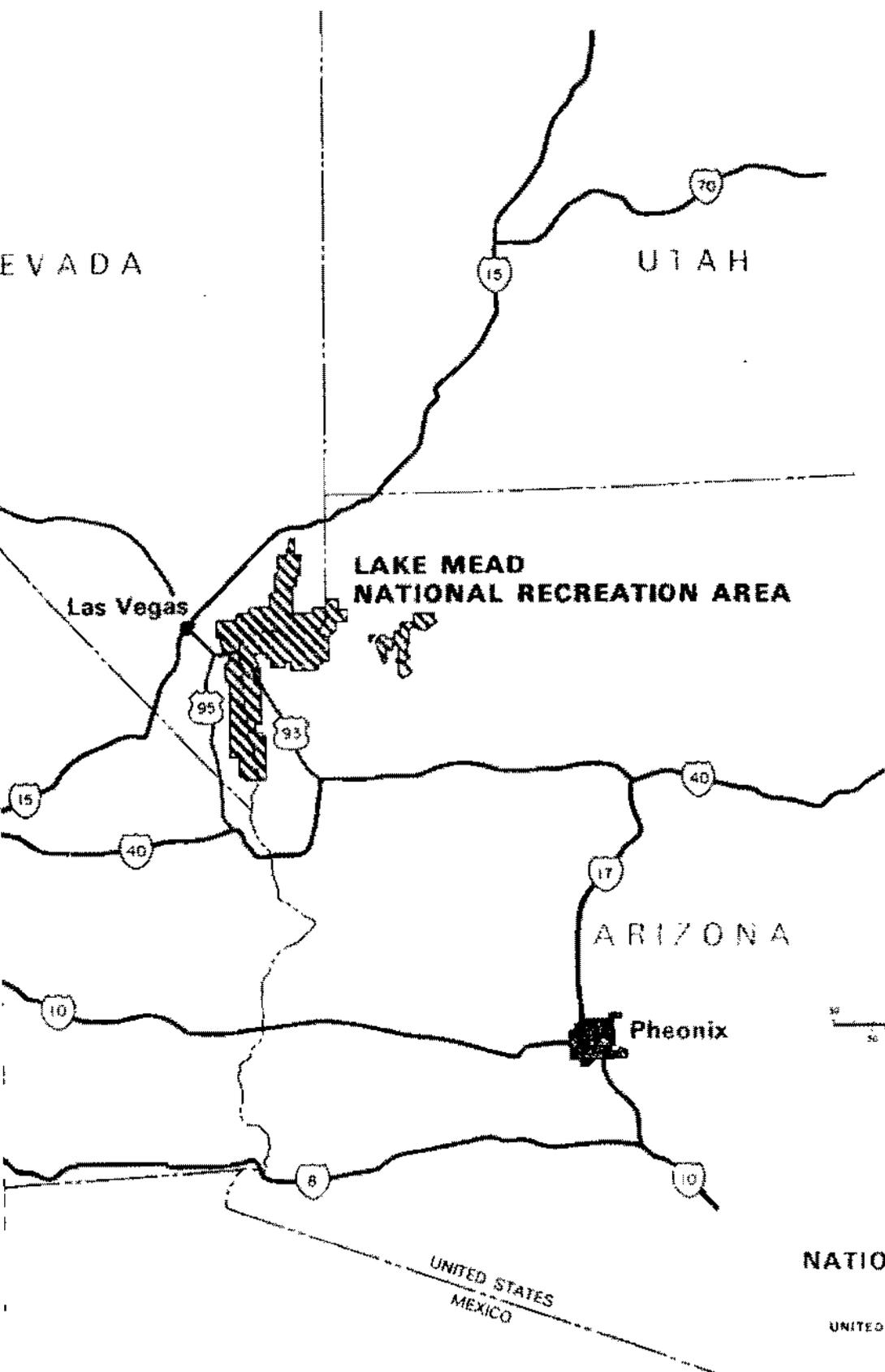
The following Land Protection Plan discusses the current landownership at Lake Mead National Recreation Area (Nevada/Arizona) and makes recommendations on how to protect lands which are not in federal ownership, or which are outside National Park Service jurisdiction but within Recreation Area boundaries. A statistical summary follows:

1,484,159.37

1. Current Ownership	Acres
Federal (NPS jurisdiction)	1,484,137.34 + 22.03
Federal (Bureau Reclamation jurisdiction)	4,488.47
State and county	2,411.08
Private	10,179.50 - 22.03
2. Number of tracts remaining to be protected	
State and County (5 Az, 1 NV, 1 Clark Cty)	15012.16.24
Private	17,079.65
In less-than-fee ownership (mineral rights)	496.727.8
	7
	462.161
3. Methods of protection proposed	Acres
Acquisition in fee (priority 1)	24012 2,423.23
Acquisition in fee (priority 2)	240.00
Acquisition in fee (priority 3 - lowest)	2,112.48
Deletion from NRA by boundary revision	1,225.55
Potential deletion pending problem solutions	6,263.32
Resolve validity of mineral rights	59,460.13
Continue Bureau of Reclamation jurisdiction	4,488.47
4. Statutory Acreage ceiling	1,813,354.87
5. Funding status	
Authorized acquisition ceiling	\$ 7,100,000
Appropriated to date	6,050,000
Obligated to date	5,927,780
Unobligated balance	122,220
6. Top priorities	
Acquire Arizona state lands near Katherine	
Acquire critical parcels at Meadview	
Resolve other issues with Arizona	

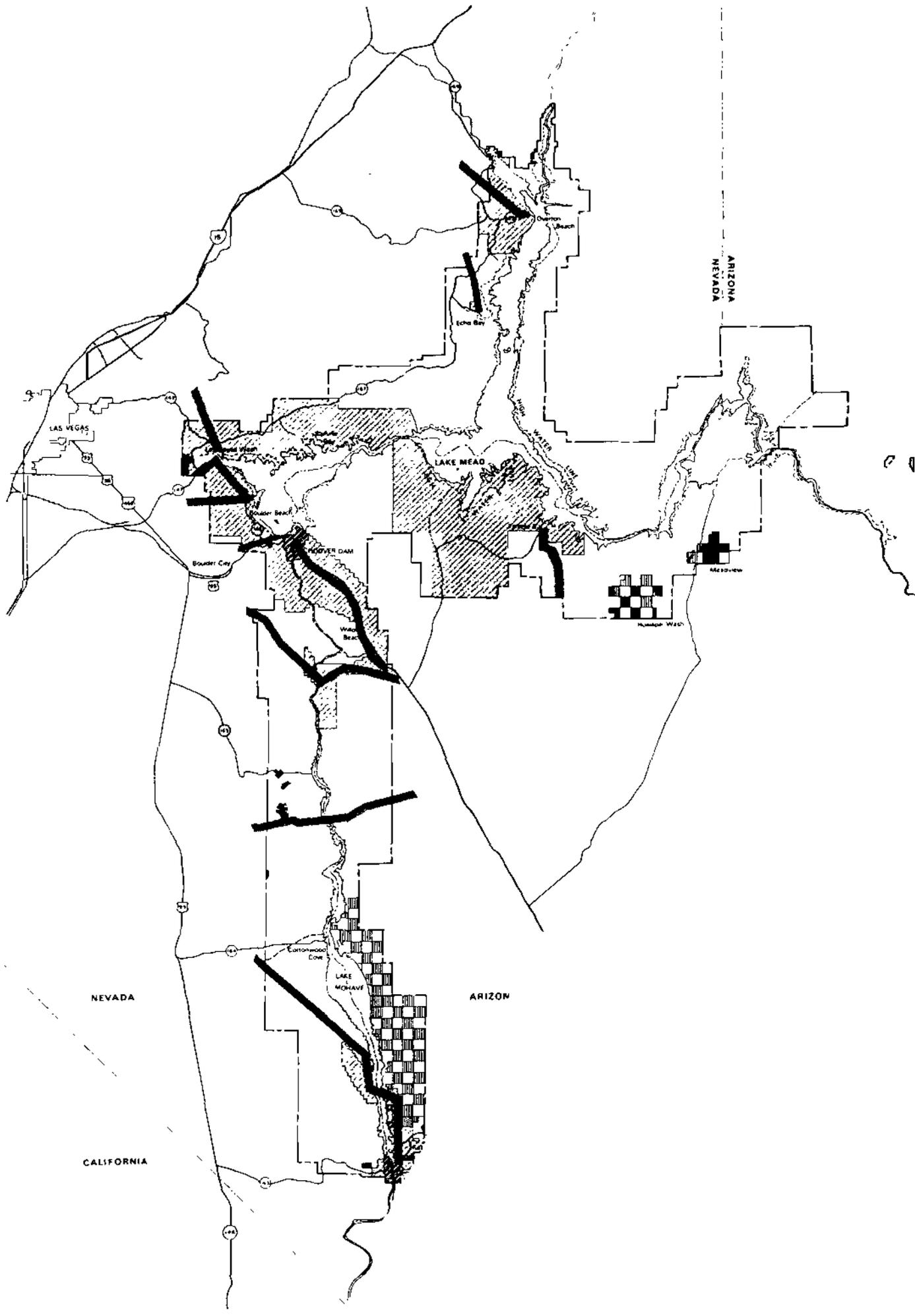


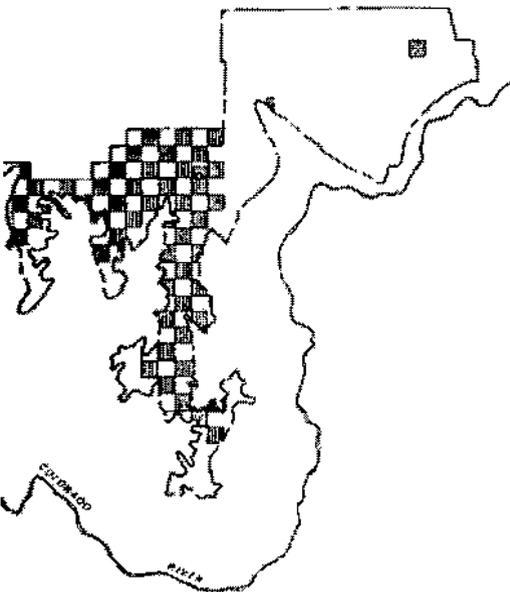




REGION
LAKE MEAD
NATIONAL RECREATION AREA
 ARIZONA - NEVADA

UNITED STATES DEPARTMENT OF THE INTERIOR
 NATIONAL PARK SERVICE





SYMBOL	OWNERSHIP	ADMINISTRATION	ACREAGE	CURRENT LAND USE	NOTES
	FEDERAL	NPS	1,483,357.06*	Public Recreation	Some Developed Areas
	FEDERAL	NPS	12,782.00	Utility Corridor	Various Companies
	FEDERAL	B/R	5,029.00*	Power Generation	Permanent Ban of Rec Withdrawals (facilities)
	FEDERAL	NPS	55,000.00	Undeveloped	Santa Fe RR (Subsurface Rights)
	FEDERAL	NPS	—	Undeveloped	Bureau of Reclamation Withdrawals (future use)**
	NONFEDERAL	STATE	2,554.71*	Undeveloped	State School Lands
	NONFEDERAL	PRIVATE	11,435.23*	Undeveloped or Altered	Various Owners

* These figures total the NRA's gross acreage of 1,493,476.00
 ** Most withdrawn lands around Lake Mead and Lake Mohave are being released by the Bureau of Reclamation.



LANDOWNERSHIP STATUS
LAKE MEAD
NATIONAL RECREATION AREA
 ARIZONA NEVADA
 UNITED STATES DEPARTMENT OF THE INTERIOR
 NATIONAL PARK SERVICE

821120.027.0
 DEC 81 1984

I. INTRODUCTION

A. Departmental and NPS Policies on Land Protection

In April 1982 the Department of the Interior issued a policy statement for use of the federal portion of the Land and Water Conservation Fund, which requires that, in carrying out its responsibility for land protection in federally administered areas, each agency using the fund will:

- Identify what land or interests in land need to be in federal ownership to achieve management unit purposes consistent with public objectives in the unit;
- Use to the maximum extent practical cost-effective alternatives to direct federal purchase of private lands and, when acquisition is necessary, acquire or retain only the minimum interests necessary to meet management objectives;
- Cooperate with landowners, other federal agencies, state and local governments, and the private sector to manage land for public use or protect it for resource conservation;
- Formulate, or revise as necessary, plans for land acquisition and resource use or protection to assure that sociocultural impacts are considered and that the most outstanding areas are adequately managed.

In response to this general policy, the National Park Service has formulated specific instructions (Federal Register Vol. 48 No. 31 February 14, 1983) which commit the Service to prepare a Land Protection Plan (LPP) for each unit of the National Park System which contains non-federal land, and which has an active program for protecting that unit's resources.

B. Need for Land Protection Plan at Lake Mead NRA

Lake Mead NRA does contain non-federal lands, as well as certain federal lands not fully under NPS administration, and has a continuing program for protecting all natural and cultural resources within the NRA. Lake Mead has also recently completed its General Management Plan (GMP), a long-range policy and proposal document which sets out major objectives and strategies, including those dealing with acquisition or other forms of protection for lands not yet acquired. The Land Protection Plan, taking guidance from the GMP, sets out specific methods of protection, identifies priorities, summarizes current land ownership and analyzes the cost effectiveness of proposed methods as well as impacts on the social, cultural and natural environment. It also serves as a comprehensive statement to landowners so that each landowner will know the intentions of the NPS regarding his lands, and the various alternatives which have been considered in arriving at current policy.

Finally, the approved LPP will serve as a required prerequisite for any of the park's requests for or expenditures of land acquisition funds.

Specific issues to be addressed in the LPP include how to best protect remaining state and privately-owned land within the boundaries and an analysis of previously proposed yet still unresolved small boundary revisions. Also included are discussions of outstanding mineral rights in third party ownerships, including mineral interests owned by the Santa Fe Pacific Railroad, and clarification of the ultimate need of the Bureau of Reclamation for large areas of land within the NRA still technically under Bureau withdrawal.

It should be noted that this Plan is intended to provide general guidance for a land protection program subject to the availability of funds and other implementation constraints. It is not intended in any way to diminish the rights of non-federal landowners nor does the Plan constitute an offer to purchase land or interests in land.

The Lake Mead Land Management Program is extremely diversified. For example; an out-of-court settlement of a patented mining claim allowed a resort/gambling complex to be constructed on the inholding; a boundary change proposal which would exclude noncritical inholdings along the boundary (submitted in the mid 1970s); patented and unpatented mining claims; a minerals leasing program; major electrical and waterline utility corridors; two fish hatcheries and a large water works inholding that supplies Las Vegas, Henderson, and Boulder City with water from Lake Mead. The land acquisition program completed in the early 1980s was a major step in effectively managing the land resources. Additional steps that need to be taken are implementation of the boundary revision program, acquisition of the sub-surface mineral rights on thousands of acres, and completion of the Mineral Management Plan (in progress).

II. PURPOSE OF THE PARK/RESOURCES TO BE PROTECTED

A. Purpose

As stated in the Congressional Act of October 8, 1964 creating the NRA (78 Stat. 1039 section 4), Lake Mead National Recreation Area was established for:

" . . . the general purpose of public recreation, benefit, and use, and in a manner that will preserve, develop, and enhance . . . the recreation potential and in a manner that will preserve the scenic, historic, scientific, and other important features of the area."

General recreation use such as boating, swimming, camping, picnicking, and other related activities may be permitted to such extent as will be consistent with reclamation purposes. Grazing, mineral leasing, and vacation cabin sites are specific land uses which may be permitted, subject to Secretarial regulation, if such use is not inconsistent with recreational use or reclamation purposes. Hunting, fishing, and trapping shall be permitted in accordance with applicable State and Federal laws and regulations.

B. Lake Mead's Resources and Their Significance

Recreational Resources

Lake Mead National Recreation Area (see REGION map), located within a day's travel of highly urbanized southern California, offers a wide range of land and water recreational opportunities on two large freshwater reservoirs surrounded by landscape of highland plateaus, deep canyons, and lowland desert. There are a wide variety of ecosystems, significant archeological and historical resources, and a diversity of plants and animals in the recreation area. This complex of resources combines to provide a background for recreational enjoyment in an atmosphere of open space, solitude, fresh air, clean water, and a year-round moderate climate.

Lake Mead NRA is centered on two artificial lakes on the Colorado River. Lake Mead -- created by Hoover Dam -- is 115 miles long, has 157,900 acres of water surface (247 square miles), and over 550 miles of shoreline. Lake Mohave, which is 67 miles long, lies behind Davis Dam and has 28,800 acres of water surface (45 square miles) and over 150 miles of shoreline.

Except for extremely cold water in the upper section of Lake Mohave, the lakes are ideal for swimming during the summer and fall months. Fishing, primarily for Lake Mohave's trout and large-mouth bass and for striped and large mouth bass in Lake Mead, is available throughout the year. Scuba diving is becoming increasingly popular, as is recreational boating and the rental of houseboats for leisurely exploration of the lakeshore. Several developed areas with marinas and other services already exist and are extensively used.

Among the predominant land-based activities is camping in developed campgrounds and in backcountry areas accessible by approved roads or by water. Other popular land-based activities include photography and sightseeing.

Natural Resources

Geologically, the NRA consists of two provinces. The area most utilized by visitors lies west of the Grand Wash Cliffs within the Basin and Range Province. It is a north-south trending series of mountain ranges and basins featuring alluvial fans, wide bajadas, and playa deposits of silts, clays, and weakly-cemented gravels. Extensive igneous intrusions with interspersed granitic or volcanic-capped mountain blocks are another feature of this area. Elevations vary from 517 feet to 5,400 feet above sea level.

The other province of the Recreation Area consists of a portion of the Shivwits Plateau located east of the Grand Wash Cliffs and north of the Sanup Plateau. The Shivwits, at an average of 6,400 feet in elevation, about 1,000 lower than the Kaibab Plateau to the east. Collectively the two plateaus form the northern border of the Grand Canyon. Small, widely scattered and heavily eroded formations rise above the Shivwits Plateau, culminating at Mount Dellenbaugh, the NRA's highest point at 7,072 feet.

Biologically, the area is within the northeast portion of the Mojave Desert and on the southern edge of the Great Basin Desert. This position of overlap results in a variety of plant and animal species that may be divided into four major biotic communities:

The Desert Shrub Complex is the most widespread biological community, occupying all valley floors, alluvial fans, and slopes up to 4,000 feet in elevation.

The Woodland Vegetation Complex, generally above 6,000 feet, is restricted in the NRA area to the Shivwits Plateau but to a limited degree is found in the western segment in the Newberry Mountains where the community may occur above 4,000 feet in elevation.

The Transzonal Community is a shrubby biotic assemblage along drainages, canyons, and on steep cliffs, and thus occurs as mosaics within and between the other communities.

The Shoreline and Aquatic Complexes includes those biotic communities in and associated with permanent springs, streams, and open waters of the two lakes.

The bonytail chub, bald eagle, and peregrine falcon are officially listed as endangered or threatened species within the NRA. Some 11 other animals and 6 plant species are being considered.

Cultural Resources

Archeology

The area's human-related history extends back to periods of occupancy in the Southwestern-Great Basin regions over 10,000 years ago. Known sites contain artifacts datable to immediately prior to the Christian Era. These may be representatives of an "Archaic Desert

Culture," a group demonstrating successful adaptation to the desert environment that lasted until historic time in the patterns of Paiute Indian groups. Trading and agricultural societies also developed along rivers and streams of the region, lasting from A.D. 500-500 to about A.D. 1200. These groups represented the westernmost extension of the Anasazi village farmers of the Four Corners region. Important village sites of this culture were inundated by creation of the two lakes.

Over 100 archeological sites have been located within the area. A comprehensive inventory has not been made but an archeological overview summarizing past work and proposed future actions has been prepared. Also there are a number of more recent historic sites that require systematic inventory and investigation. Thus, the area is rich in archeological resources as well as historic materials and it is likely that future examinations will identify additional sites.

Historic Resources

Although Spanish explorers may have visited the area earlier, the first documented visit by a European to this section of the Colorado River was by Jedediah Smith in 1825 while looking for a southern route to California. Following this, settlement along the river began. During the 1850's, U.S. Army exploring and mapping expeditions touched the area, and later steam navigation on the river developed despite obstacles such as the tidal bore at the mouth, sandbars, and substantial rapids.

Many historic sites are now submerged under lake waters, notably Fort Callville and the towns of Rioville and St. Thomas as well as ferry sites such as Bonelli's and Pearce's. These towns and ferries, and several historic ore-crushing mill sites, were served by various roads and railroads which in themselves may merit nomination to the National Register of Historic Places.

Although mining in the general area has occurred since the 1850's, no major producers were actually located within the NRA. Some historic structures relating to cattle ranching are still standing on the Shivwits Plateau. Various riverflow measuring or dam construction-related structures have been identified, and of course an event of major regional significance was the completion of Hoover Dam itself in 1935.

C. Legislative Authorities and History of Acquisition Ceiling

The history of Lakes Mead and Mohave is basically a story of survey, measurement and construction by the Bureau of Reclamation from the early 1900's through 1935. It was not until 1936 that the National Park Service began operations at Lake Mead. From 1936 until 1964 the Service administered the recreation and natural resources of the area under an agreement with the Bureau of Reclamation without benefit of a separate legislative mandate. On October 8, 1964, Public Law 88-639 (78 Stat 1039--see Appendix D) authorized the establishment of Lake Mead National Recreation Area. This act incorporated 1,936,978 acres of Arizona and Nevada land within the authorized boundaries of the Recreation Area, and authorized a ceiling of \$1,200,000 for the acquisition

of land. This authorized ceiling was subsequently increased to \$7,100,000 by Public Law 93-477 (88 Stat 1445) on October 26, 1974. The acreage was administratively corrected by WASO on June 13, 1974 to 1,813,354.87. On January 3, 1975, Public Law 93-620 (88 Stat 2089) enlarged Grand Canyon National Park by transferring 327,215 acres from Lake Mead NRA. The resultant Lake Mead boundary change reduced the size of Lake Mead NRA to 1,486,139.87 acres.

The original \$1,200,000 authorized for acquisition under Public Law 88-639 was appropriated and expended by 1968. With additional \$5,900,000 authorized by Congress in 1974, an active program of land acquisition recommenced in 1975. Approximately \$5,928,000 has been spent on land acquisition with an additional \$1,172,000 authorized.

D. Constraints on Acquisition, Boundary Revision and Jurisdiction

The initial legislation creating Lake Mead does authorize the Secretary of the Interior to revise the boundaries ". . . subject to the requirement that the total acreage of that area, as revised, shall be no greater than present acreage thereof." Further stipulations in the establishing Act allow the Secretary to accept lands or interests in lands within the boundary by donation, or he may procure such property ". . . in such manner as he shall consider to be in the public interest." Exchanges of federal property inside or outside the NRA for non-federal lands within the boundary are also authorized so long as the properties are of approximately equal value, or their values are equalized by cash payments.

The Act is also clear in stating that "All lands in the recreation area which are withdrawn or acquired . . . for reclamation purposes shall remain subject to the primary use thereof for reclamation and power purposes so long as they are withdrawn or needed for such purposes." The Act further prohibits the inclusion of any tribal or allotted lands of the Hualapai Indians within the exterior boundaries of the recreation area (although some such lands are shown within the boundary on the initial legislative map) without approval of the Hualapai Tribal Council. Because the Hualapai Tribal Council has not indicated approval the National Park Service has no administrative jurisdiction over these lands.

And finally, as for most other NPS areas, the law reaffirms that both Arizona and Nevada and their political subdivisions retain their normal civil and criminal jurisdiction over private lands in the NRA, including taxation and (by implication) zoning rights. For federal lands jurisdiction at Lake Mead is legally shared in both Nevada and Arizona between the states and the federal government (concurrent jurisdiction).

There are a variety of general federal policies and regulations governing land acquisition by the federal government which must be followed at Lake Mead. These include (but are not limited to) procedures for establishing fair market value, legal options by the government if negotiations fail to settle on a selling price, provisions that assist a previous property owner in relocation or in retaining use and occupancy of his former property for a period of time. There are also procedures by which the federal government may reimburse the states for certain tax losses.

E. Other Issues or Constraints

Since the early 1970's, the state of Arizona has indicated interest in selecting certain lands within the NRA boundaries as Indemnity Lieu lands. Such selections would be part of a program for the state to replace school section acreage previously lost through federal withdrawals when the NRA and other federal reservations were established. Specifically, Arizona is requesting 13,465 acres (including lakefront) at Bonelli Bay, 4,471 acres at Temple Bar and 1,390 acres at Katherine. Such lands would be leased or sold to private development interests for the creation of planned residential and recreational communities.

However, Lake Mead NRA lands are simply not available for the state to select (Title 43 CFR subpart 2621).

F. Resource Management and Visitor Use Objectives

The primary objective of Lake Mead NRA is to provide for public recreation and use while also maintaining the natural, cultural, scenic, and scientific resources of the area. In practical terms this means to provide, in consultation with local and regional planners, recreational facilities and opportunities to serve the public yet which will not create unacceptable impacts on these natural, cultural, and scenic features. Therefore, in addition to providing for recreation the NRA must develop programs to monitor, study, and protect wildlife, vegetation, geologic, and historic resources.

Specific resource management goals at Lake Mead include improvement of air and water quality, perpetuation and in some cases restoration of natural ecosystems and native species, control of exotic species, and elimination of grazing and mining in areas of sensitive habitat or cultural resources. A further goal is to understand and properly manage visitor activities such as off-road vehicle use and other backcountry activities which have the potential to create disturbance to the natural and cultural resources.

To achieve its recreation and visitor use objectives the NRA provides various services in developed areas such as overnight campgrounds, marinas, boat launching ramps and swimming areas, and provides the information, planning, and supervision necessary to assure visitors are properly prepared for safe, enjoyable use of these recreational resources. Undeveloped area or backcountry use is available through a system of approved roads and camping sites. The visitor service effort includes a program of interpretation of the park's natural, cultural and recreational resources, stressing the relationship of these local resources to those of the wider region.

Other management objectives of specific relevance to land acquisition or protection include:

- to establish a system of land management zoning within the NRA which clearly identifies areas where protection of natural and cultural resources are of the highest priority, and other areas where development, intense public recreational use or even private land uses might continue;

- to study and realign boundaries (as authorized);
- to identify and eliminate or otherwise control those private inholdings which are in conflict with or adverse to public use and management of the NRA;
- to cooperate with state and local authorities and other federal agencies to achieve harmonious land use patterns throughout the NRA and on adjacent lands.

G. Guidelines for Land Protection from the GMP

The Lake Mead GMP sets basic guidelines for land acquisition and protection which have been followed in preparing this Land Protection Plan. In summary these guidelines are:

- that action on minor boundary revisions should continue;
- that remaining state and private lands within the boundaries be examined on a case-by-case basis to determine priorities for acquisition or other protection methods;
- that the issue of subsurface mineral rights still retained by the Santa Fe Pacific Railroad be resolved;
- that the wishes of the Hualapai Indian Tribe to have their lands excluded from the NRA be respected.

III. NON-FEDERAL LANDOWNERSHIP AND USES

A. Landownership Status

The current status of landownership at Lake Mead NRA is shown on the LANDOWNERSHIP map.

B. Land Use and Character of Non-Federal Lands

1. State and County Lands (2,411.08 ac.)

Although there is some confusion over title, Nevada apparently owns a small parcel (Tract 05-108--4.88 ac.) north of Boulder Beach on which a fish hatchery is managed by the Nevada Department of Wildlife. The same department manages the Overton Wildlife Management Area. Clark County Nevada owns 5 acres in the Virgin River arm at Overton, and from time to time may own other parcels due to tax delinquencies.

Arizona owns 2,401.2 acres in widely scattered sections within the NRA boundary, all undeveloped. The two and one-eighth sections east of Lake Mohave are in the desert shrub community type, are gently rolling to moderately steep, and located within one or two miles of the lake shore (Photos 1,2,3). They have no improved access roads, although in some cases unimproved roads lead to or cross the properties. The Shivwits Plateau sections are remote high elevation woodland community habitat, again without improved access roads.

2. Private Lands (10,179.5 ac.)

The remaining private lands fall geographically into two subcategories: internal parcels lying well within the NRA; and parcels lying just along but inside the authorized boundary.

All the internal private parcels derive from patented (i.e. legally improved and conveyed) mining claims. They are all within the desert shrub community type, and their land use varies from long inactive mining (Tract 03-101--18.05 ac. southeast of Willow Beach), and more recently active claims at Capitol Camp (Tracts 03-102 to 111 totalling 713.05 ac.), to a commercial motel and casino at Gold Strike (Tract 04-104--36.89 ac.). Two parcels in the Boulder Beach area (05-106, 107--64.36 ac.) are developed for water treatment facilities serving the Henderson Nevada area. The remaining internal private land is a group of 58 small residential parcels totalling only 11.85 acres (Tracts 17-101 to 158) at Katherine. About 75% of these Katherine parcels have been developed with structures.

The private lands lying inside but immediately along the authorized boundary form an arbitrary grouping since (with one exception) they have previously been collectively considered for deletion by boundary revision. They are generally described below.

Overton Area (NV)

Some 200 acres of private land (5 acres of which is owned by Clark County NV) lies at the base of Mormon Mesa near the lake shore on the Virgin River arm. Three tracts of 40 acres each are individually owned and completely undeveloped with access only by 4-wheel drive from

the south; the remaining two parcels have been divided into 1 to 5 acre tracts and are in multiple ownership in a subdivision known as the Ravens fishing Club. No significant physical developments have occurred there, but access is routinely possible via a county maintained road from Overton over Mormon Mesa.

Some 135 acres of private land is located on either side of the Muddy River arm. The 100 acres (Tracts 08-107 & 114) on the east side are undeveloped although served by a poor dirt road; the remaining 35 acres on the west are essentially adjacent to and accessible from the paved highway linking Overton with Overton Beach. Tract 08-108 (20 acres) was previously used as agricultural land and the remaining tracts are undeveloped.

Cottonwood Cove Area (NV)

The Rockefeller patented claim (Tracts 02-114 & 115-110 acres) is on the boundary north of Cottonwood Cove access. The desert shrub community on this land has been disturbed by mining activities as recently as 1982. No permanent occupancy is reported. (These parcels have not previously been proposed for deletion.)

Hualapai Wash Area (AZ)

Some 3,996.08 acres of private land lie adjacent to or within 3 miles of the NRA boundary in Hualapai Wash. This is flat to gently sloping shrub-covered land subject (depending on specific location) to flooding down the wash. No major developments have taken place on the land, most of which is in parcels of nearly a section (640 acres) with single ownerships. However, access is easily obtained via paved road from Kingman, AZ, and several dirt roads reach individual tracts. No action should be taken to delete federal lands in the Hualapai Wash area until a determination is made if the Spring Canyon pump-back storage project will be constructed.

Meadview/Lake Mead City Area (AZ)

Approximately 2,531.25 acres of private land remain within the boundary on flat shrub-covered lands of the Grapevine Mesa along the Pierce Ferry Road. The bulk of these tracts are on the mesa itself; a previous land acquisition effort in the early 1970's acquired many of those parcels on the western edge of the mesa on the bluffs which overlook Lake Mead itself. Land use in this area consists of the unincorporated residential subdivisions named Meadview and Lake Mead City, with multiple ownership in parcels varying from city lot size to 5 acres or more. In Meadview many paved streets and utilities are already in, and approximately 50 residential structures (mostly trailers) have been constructed, with a substantial year round resident population.

Shiwits Plateau Area (AZ)

Some 1,853 acres of rugged woodlands in 5 tracts on the Shiwits Plateau are in private ownership and used in cattle grazing operations by the owner, a rancher who formerly had much larger holdings. Access is very limited; public use in this area is minimal due to extremely long rough road access (40 mi) from the nearest paved roads to the north.

3. Retained Subsurface Mineral Rights Lands

The Santa Fe Pacific Railroad previously owned large acreages now within the NRA, in the typical checkerboard pattern of alternate sections granted to encourage early rail construction. When such lands were sold back to the federal government prior to creation of the NRA, Santa Fe Pacific retained certain subsurface mineral rights. These rights are considered as a part of the bundle of rights which make up fee simple ownership; the NRA is not considered the fee owner of these lands.

Specifically, Santa Fe Pacific holds subsurface oil, gas, coal and other mineral rights (including the right to certain necessary surface facility construction) on approximately 55,000 acres. They also retain rights to construct railroad tracks and associated structures on or across some 3,000 ac of those same lands, and to repurchase rights of way for such facilities at a per acre price based on the original sales price. No exercise of the various rights has ever taken place on NRA lands. There is at present no indication that commercially viable amounts of any oil, gas or other minerals do indeed exist on these lands.

The lands on which these rights exist are widely scattered and their physical character is difficult to generalize. Those sections east of Lake Mohave are gently rolling undeveloped lands in desert shrub habitat type located from lake shore to the area boundary, are easily visible from the lake, and are crossed by various approved but unmaintained access roads used by park visitors. Additional Santa Fe rights are claimed at Hualapai wash and Meadview (described above) where in some cases the surface lands are privately owned by different parties or are in federal ownership. The third major area is the isolated high elevation undeveloped wooded Shivwits Plateau, overlooking the Grand Canyon, which in general is not accessible by road.

4. Hualapai Indian Reservation Lands

The Reservation lands technically have never been incorporated into the NRA, because the Hualapai Tribe has never approved of such incorporation. On the contrary, on several occasions the Hualapai Tribal Council has indicated that they did not wish any tribal lands incorporated. Although the NRA will respect this request, a discussion of the issue is included within the scope of the Land Protection Plan because of a continuing concern over adequate protection of lands immediately bordering the Colorado River upriver from the NRA (see later sections).

These lands include the wooded high plateau, intermediate terraces and inner canyon walls of the south shore of the Colorado River. They are presently undeveloped and generally not accessible by road. Public use of these lands is regulated by the Hualapai Tribe, who charge entry fees for hunters and for parties exiting from river trips. Concern has been expressed by the Indians over unauthorized public use by private and guided river floating parties (originating upstream in Grand Canyon National Park) who may be causing disturbance to sites of special cultural significance to the tribe.

5. Bureau of Reclamation Withdrawals

The Bureau of Reclamation, which constructed and continues to operate Hoover and Davis Dams has had certain rights and management authority over Lake Mead NRA lands for power generation purposes since the establishment of the NRA. These are in the form of withdrawals from public domain which supersede the rights of the National Park Service.

Bureau withdrawals consist of two basic categories: lands currently associated with power generation (i.e., around the dams) and those which might in the future be needed for power generation in as-yet unbuilt projects.

These lands in the first category include permanent "protection and security areas" in the area of Hoover and Davis Dams (4,488.47 acres in four NPS-numbered tracts). The Regional Solicitor, Pacific Southwest Region, in a June 19, 1986 opinion, advised that these "Protection and Security Areas" are not a part of the LMNRA, and were excluded by the 1964 Act.

Lands in the second category, until recently, included some 358,052 acres in the extreme eastern part of the NRA on the Shivwitz Plateau, and over 200,000 acres around Lakes Mead and Mohave. The lands around Lakes Mohave and Mead were felt to have some potential for building storage basins in which water would be pumped up from the river or lake during periods of lower power needs, and allowed to flow back down through generators during peak power periods. The Shivwitz withdrawals were originally made with the possibility of future construction of another dam and reservoir in this area, later more specifically identified as a dam at Bridge Canyon.

In the recent past the Bureau has taken action to modify its withdrawals in light of technical studies which explored the feasibility of specific future sites. Currently, the Bureau is in the process of revoking withdrawal of approximately 211,595 acres, which represents nearly all previously withdrawn lands north and south of Lake Mead and east and west of Lake Mohave. Certain specific lands would continue to be withdrawn south of Hoover Dam (5,120 acres in a corridor for a possible future bridge crossing) and a second 5,120-acre corridor between the "Riffe Range" pumped storage site south of Boulder City and the Colorado River. Some 7,040 acres in the lower Las Vegas Wash area would also be retained at least until results of the Southern Nevada Water Project study are completed. Use of NRA lands east of Temple Bar at Spring Canyon for an additional pumped storage site in an area in which the withdrawal was revoked, will have to be later negotiated.

Considering the Shivwitz area, the Bureau, at the direction of the Secretary of the Interior, has recently revoked all its withdrawals associated with the Bridge Canyon (Hualapai) Dam project. In a Public Land Order (Federal Register February 15, 1984) withdrawal for reclamation purposes on all 358,052 acres of lands within Lake Mead NRA and Grand Canyon National Park were revoked. Since, however,

these lands are within the boundaries of national park areas, they remain withdrawn from appropriation under the public land laws, including the mining laws.

Even prior to the recent major revocations, several small parcels at the south end of Lake Mohave had had their withdrawal revoked, including 764.28 acres east of Katherine's Landing and two pieces totalling 540.53 acres south of Davis Dam (Davis Dam Camp in Arizona consisting of 374 acres and a 167-acre parcel across the river in Nevada). Davis Dam Camp is being utilized as a county park by Mohave County on a Special Use Permit from the NRA. The parcel on the Nevada side has no special park value, and might possibly be useful as an exchange property. The state of Arizona has identified the Davis Camp lands as suitable for exchange for all other state lands within units of the National Park System in Arizona. That exchange is proceeding.

6. Federal Lands Outside Boundary

The NRA administrative headquarters is in Boulder City, Nevada on some 17.09 acres of federal NPS-administered land outside NRA boundaries. In two sections, these parcels were granted to the NRA in 1958 when Boulder City was converted from an all-federal city to its present private land ownership status.

a. Headquarters

The Recreation Area Headquarters Building is located at the corner of Wyoming and Nevada Highway in Boulder City. The land area consists of 1.75 acres. See enclosure.

b. Maintenance Yard and Warehouse

The Recreation Area Maintenance Yard and Warehouse are located on the truck route, (Highway #93) northwest of the business district of Boulder City. The land area consists of 15.34 ± acres. See enclosure.

c. State Route 169 Right-of-Way

The following tracts, located along the State Route 169 right-of-way between the boundary and the city of Overton, were donated to the government between 1937-39.

<u>Tract</u>	<u>Deed</u>	<u>Acres</u>	<u>Donor</u>
005	3	14.44	Johnson
007	5	.33	Wright
008	6	.70	Lee
009	7	6.91	Overton Syndicate
010	8	.34	Whitmore
011	9	10.55	Nevada Land and Title
<u>012</u>	10	<u>11.32</u>	Edwards
7	Total	44.59 acres	

These parcels are of no use to the National Park Service and will be disposed of.

C. Other Regulations Affording Protection

Note: the method of applying these regulations and their specific effectiveness at Lake Mead will be discussed in Section IV C.1.

1. Federal Laws and Regulations

Various federal laws and their implementing regulations are applicable at Lake Mead. These include the National Environmental Policy Act (1969), National Historic Preservation Act (1966), Endangered Species Act (1973), Clean Air Act (1963), Clean Water Act (1977), Resource Conservation and Recovery Act (1976), and the Mining in Parks Act (1976).

2. State Laws and Regulations

Although the federal laws noted above are generally more restrictive, both Arizona and Nevada have some state-level environmental laws which apply on private lands or in situations where federal action is not involved and therefore requirements of NEPA may not apply. Water quality standards are one such area. Enforcement of state law is typically delegated to the county level and may be applied through zoning (see following).

3. County Zoning and Ordinances

Clark County NV is in the process of developing a Comprehensive Plan (Clark County, 1981) which will ultimately alter the mechanism of zoning on private lands. Currently most private lands within the NRA in Nevada are zoned Rural Open Land District (RU) which allows one dwelling unit on two acres by right. There is no distinction in the present zoning map or ordinance between private lands located within or adjacent to a public park (such as the NRA) and private lands elsewhere.

Mohave County AZ zones private lands within the western portions of the NRA in a low density Residential-Recreation (R.E.) category nominally allowing two dwelling units per acre. (In the Shivwits Plateau area east of Range 15W the classification is R.E./10A indicating a 10 acre minimum lot size.) This R.E. category is apparently used as a "holding" category for most such private lands in the NRA and other federal park or BLM land in the county since there is no specific category of zoning developed for private lands inside federal areas. As with zoning in other counties, a private owner can petition for less restrictive zoning (or for clustered development) or for a change of classification to permit other uses. Generally, however, Mohave County does take the position that sound expert management of the NRA is in the county's best public interests, and it is unlikely that uses more intensive than those permitted under R.E. classification would be given approval.

The extent to which state-owned lands (or state lands leased to private developers) are subject to county zoning is not well-defined (see later discussion), but as a practical matter the state

generally cooperates with the county in providing some development controls.

D. Summary of Land Acquisition to Date

Federal land within the Recreation Area currently consists of 1,471,481.30 acres in fee and 41.31 less-than-fee acres. The following breakdown depicts the acquisition method utilized in obtaining 17,548.46 acres since the establishment of Lake Mead NRA.

Exchange	6,733.87
Donation	106.86
Donation (outside boundary)	44.59
Purchase	9,107.65
Condemnation	1,555.49

One of these acquired tracts (23-133, 2.06 acres) is subject to a life estate.

Two exchanges (on 562.78 acres) are currently on hold but may be acquired by donation or exchange in the future. One involves acquisition of three parcels in the Capitol Camp area in exchange for Bureau of Land Management parcels near Las Vegas. The other involves acquisition of a 320 acre parcel in the Hualapai Wash area (Woolgrowers Association) in exchange for equivalent federal land outside the boundaries of Grand Canyon National Park.

E. Relationship of Landowners to Social/Cultural Environment

More information is available on economic impacts of various protection strategies in the Environmental Assessment.

In general, the private lands are divided into categories of undeveloped/unoccupied lands (e.g. Hualapai Wash), more or less inactive mining operations (e.g. Capitol Camp) and developed small-lot residential or vacation homes (Meadview and Katherine). The undeveloped land is owned essentially by people living locally or nearby in the western U.S. whose anticipated uses are largely unknown but presumed to be speculative holding for sale or eventual development as recreation home sites. The parcels are generally small and widely scattered. Except on the Shivwits they do not represent the remainder of any traditional large family properties or ranches with specific historic or cultural significance. The mining properties have not in general been very large operations or high producers of regional economic significance, nor do they represent unique or historically significant mining techniques. Individual owners have sometimes expended great determination and physical effort to develop the access roads, structures and mining operations which qualified them to become patented owners. The Katherine area residential/vacation homes are owned by a diverse group of unrelated people who purchased their lots from a subdivision of a previously

unprofitable patented mining claim. The Meadview development is essentially a second-home or retirement community in which services are now being developed and a year-round residential life style is becoming common. Meadview is a newly developed area, on previously undeveloped lands, and is not based on any traditional long-term ranching or other earlier land use pattern or settlement.

Various special cases include the Gold Strike property, a recently renovated highly capitalized motel/gambling casino which provides food, vehicle service, lodging and gambling opportunities to a clientele which in general are not visitors to the NRA. It is located on a former mining claim, but its current land use is unrelated to that historical use. The Nevada-operated fish hatchery and the privately-operated water treatment plant are long-established public-service uses but cannot be considered of particular cultural or historic significance.

Arizona State's lands within the NRA are by statute part of the state-wide school revenue-generating program, which pre-dates establishment of the NRA. Presently undeveloped, these lands do not produce any revenue for the state. These sections do not individually contain unique natural or scenic resources of value, nor do they relate to particular pre-existing historic or cultural features. In other parts of the state (i.e. where not located within federal park or forest land) such sections typically have been sold outright or long-term leased for private development, with sale or lease profits going into school revenue.

The Hualapai Indian lands are traditional homelands granted by treaty and other federal laws. Currently undeveloped, those lands along the south shore of the Colorado contain religious and historic sites and resources of great significance to the Hualapai tribe.

IV. ALTERNATIVE PROTECTION METHODS

A. Introduction

A central concept of land protection planning is that fee-simple acquisition of non-federal land within a park may not always be the necessary choice. Rather, there may be other methods available which are less costly or which provide for continued benefit and use to a private owner yet still give the National Park Service the degree of control needed to meet the objectives of the park. No single technique is likely to be applicable to all lands; a combination of techniques plus a priority system are the most probable recommendations.

The following summary of common acquisition or other protection techniques is useful in analyzing later specific recommendations (Section V). This list is not necessarily comprehensive, and many variations could be developed to meet specific situations.

B. Fee-Simple Acquisition

Fee-simple acquisition involves the acquisition of all interests in a parcel of land. In sales between private parties the transaction is typically a simple cash purchase in which, on completion, all rights pass from the seller to the buyer. Where federal purchase of private land is concerned, a variety of methods can be involved, including acquisition by donation or bargain sale, by exchange, or by purchase involving certain subsequent reservations to the previous owner.

1. Donations or bargain sales are techniques in which the seller may qualify for certain tax reduction by donating or by selling lands to the federal government at less than market value. The end result is fee acquisition by the federal government without expenditure (or with a reduced expenditure) of appropriated funds, therefore allowing use of those funds in other land purchases. The particular value of these techniques must be determined by the seller on the basis of his individual circumstances; in recent years tax laws have become more liberal in allowing larger total estates to be passed tax free to a survivor, and the attractiveness of donations and bargain sales has declined.

2. Exchanges typically involve the trade of federal properties outside (or in some cases elsewhere within) a park boundary for non-federal lands inside the boundary. Exchanges may be two-party transactions, where federal lands under NPS administration are directly exchanged for private lands. More often a third party is involved, for example where excess federal lands under BLM are exchanged for the private lands, and BLM in turn gives administration to NPS. Technically speaking, lands which the NRA declares as excess to NRA needs must pass back into the public domains and BLM jurisdiction before being considered for exchanges. Exchanges are most useful when lands of equivalent value acceptable to the private owner are easily available. Often it is a long search to find acceptable lands, or equivalency in cost is difficult to establish. Also, the procedures for BLM declaring lands in excess and available for exchange are complex and time required for completing the process is long. However, for sellers with flexible time

requirements, and a desire to relocate to similar lands, the technique can be very favorable.

3. Purchases with donated or appropriated funds may be outright, with the previous owner immediately conveying all rights, or they may involve some reservation of use and occupancy for a fixed term or life, whichever the owner so chooses. If the owners elect to reserve use of the property, the amount of the reservation is deducted from the purchase price, based on the term elected, at the time of acquisition by the United States. Purchases can also be made subject to an agreed "leaseback" arrangement in which the federal government becomes the owner but the previous owner is granted a long-term lease to continue using the property under restrictions specified in the lease. Fee-acquisition (by any of these methods) is most appropriate where land:

- is specifically needed for development of public facilities or for public use;
- must be maintained in pristine natural condition, precluding reasonable private use;
- requires intensive management by NPS to preserve historic and natural resources or eliminate exotic species;
- is owned by individuals unwilling to sell less-than-fee-simple interest;
- is owned by individuals who wish to sell, but reserve occupancy and use for a period of time;
- cannot be protected by other means, or where alternate means would not be cost effective.

The large majority of fee-simple purchases are made on the basis of negotiated settlements between a willing seller and the federal government. In certain cases however where an owner does not wish to sell lands the NRA has determined should be acquired, or where seller and buyer cannot come to an agreement on price, the federal government may choose to exercise its right of eminent domain through condemnation. If the situation involves merely a disagreement over price and no serious immediate threats to park resources, the government files a condemnation complaint and ultimately a settlement price will be set through a legal proceeding. If the government accepts that price, it will be paid and title passes to the government. If however some serious immediate threat to park resources is perceived through use or proposed development on a private parcel and negotiations to arrange a purchase fail, the federal government may file a Declaration of Taking and take immediate title to the parcel, with a binding price established in subsequent legal proceedings.

C. Acquisition Under Priority System

When, for various reasons, it has been determined that parcels of land should be acquired, a system of priorities is usually established. A high priority is given to private lands which may be immediately needed for resource protection or development, or to lands on which obviously incompatible activities are taking place or are expected to take place. Secondary priorities are assigned to lands important to park needs, but where incompatible use is not soon anticipated. Lowest priorities go to lands which are not particularly sensitive, and where the likelihood of incompatible development is very low. However, by reason of location deep within a park or a potential weakness of external regulatory mechanisms (like zoning), it is not considered appropriate to delete such low priority lands completely from the park, thus forming small enclaves where the NPS could no longer exercise the option to purchase.

In effect, lands in the lowest priority would have their acquisition deferred until such time as specific threats to park values developed. Acquisition of the highest priority parcels should take place at the earliest possible time that funds or exchange lands are available and negotiations can be completed.

D. Less-than-Fee Acquisition

Less-than-fee acquisition is when any one of the bundle of rights which make up fee interest is retained by the previous owner. Each interest e.g. development rights, timber rights, subsurface mineral rights, will be appraised to establish its fair market value. Some of the most common less-than-fee interests are described below.

1. Easements are legally enforceable interests in land based on clearly stated agreements. They become part of the land's deed restrictions and are therefore binding on future owners. They may be positive, granting access rights to the easement holder to enter for such things as hiking or camping or research purposes. They may be negative in the sense of limiting the owner's use by prohibiting specific kinds of physical development, or timber cutting, or changing the agricultural nature of the land or altering the exterior of historic structures. Such negative easements are commonly called scenic or conservation easements. A variation on this approach is an archeological protection easement, which would restrict the private owner's right to disturb or otherwise alter a specific archeological resource such as subsurface ruins or artifacts.

2. Surface development and use rights may sometimes be acquired, with the right to extract subsurface oil and gas or minerals being retained by a previous owner. Generally the sale would include specific agreement as to the nature and extent of disturbance tolerable on the land surface should extraction of minerals be attempted. Such development rights might be acquired in a specific case where the owner did not wish to develop his property but did wish to retain his exclusive right to utilize the land for hunting or fishing or game management or for scientific research or for continued ownership and control of religious sites or other cultural features.

Less-than-fee acquisition is most likely useful where:

- some, but not all, private uses are compatible with park purposes;
- current owners wish to continue ownership but are willing to accept certain limitations set by NPS.

If the criteria above apply, then a less-than-fee interest is all that need be acquired. This in many cases is advantageous to all parties concerned in that a) the owner retains his land (subject to limitations agreeable to him), b) the National Park Service gains the level of control needed to meet its objectives and c) the land remains on local tax rolls.

E. Deletion of Lands by Boundary Revision

One alternative in assessing protection methods is to consider whether or not there is reason to retain a certain tract within the boundary i.e. to consider deleting lands by boundary revision. Factors to consider include:

- geographic location;
- whether the lands are actually needed for public use and development;
- whether the lands contain especially sensitive, unique or rare natural or cultural resources;
- how the lands relate to surrounding park lands e.g. do they provide a critical access corridor, do they serve as a buffer between park land and developed lands;
- the current use and development of the land, as well as the probable use and impact on the park if not acquired or protected by the park.

Additional factors relate to cost analysis and priorities. For example, private lands located near a boundary where land use outside is already intensively developed commercial or residential properties may have a market value so high that it is out of proportion to the usefulness of the land to park protection objectives. In such a case, the priority for acquiring these lands is likely to be so low that there is little probability of ever purchasing the land. This constitutes a de facto indefinite deferral of acquisition which in some cases may be an unreasonable constraint on the owner's rights, as well as an administrative burden on the park to monitor and control. Under these circumstances, deletion can be of benefit both to the park and to the owner of deleted lands.

F. External Regulations; Agreements

Activities on lands awaiting acquisition, or on lands which have actually been deleted from the park, are still subject to external

regulations such as local zoning and general state or federal regulations. Where such regulations may not be adequate, specific two party agreements may be negotiated.

1. Local zoning in some cases may provide all the control necessary to meet the park's objectives. It is probably most effective where:

- lands are situated near or along an area boundary and are providing a kind of buffer to interior, more fully-protected lands;
- strong political support is evident in local communities, which would assure that zoning would not progressively become weaker;
- historic lifestyles, agricultural and cultural landscapes are an important element of the park's purpose;
- the park itself is given a meaningful opportunity to comment on proposed changes or variances in zoning on lands within the park.

2. General state and federal regulations may add an extra level of control in some specific situations which would otherwise require expensive outright purchase of a tract. Examples are where point sources of air or water pollution (i.e. an identifiable specific industry or facility) are operating on non-federal lands within the park. If the park's requirement to meet its objectives is not elimination of the entire operation but merely control of the effluent, federal regulation can be invoked. Other examples may be where local development projects might not require federal environmental impact analysis, but state environmental compliance procedures could be of value in providing control. A variety of state programs to provide incentives for natural and cultural resource protection without actually purchasing land for some state-owned conservation project may also be used. For example, Nevada has new legislation providing tax benefits to private citizens who agree to protect archeological sites on their lands.

3. Cooperative management agreements are legal instruments defining administrative arrangements which provide for an exchange of services or benefits. Agreements can sometimes be useful between the park and private landowners whose lands are not likely to be immediately acquired, but they have the disadvantage of not being binding on a subsequent owner. Agreements are most appropriate for land likely to remain in the same ownership for a long period, such as that owned by other government agencies, non-profit organizations, and individuals or corporations supportive of park objectives. Agreements can be flexible and negotiable and might include many of the same restrictions found in easements e.g. specifying allowable development and land use, providing entry to park visitors, or access for park staff involved in research, resource management, law enforcement or maintenance of designated facilities.

V. RECOMMENDATIONS

A. General Recommendations

In developing the Land Protection Plan several issues were encountered which need consideration at a general level.

1. Cooperative Planning With Arizona and Nevada

It is apparent from the nature of Arizona's indemnity selection requests that there is an intent to encourage planned resort and residential community development in the Lake Mead area. Although the NRA has legislative and other justifications to oppose the specific state selections within NRA boundaries, it is obvious there is a need for cooperative discussions between the two parties so that the legitimate concerns of both can be recognized. Similarly, there have been only minimal recent communications with the State of Nevada.

It is recommended that channels be established in Arizona between the NRA, the state, Mohave County, and BLM to discuss the anticipated land use changes near the NRA. In such discussions the focus should be on sound community planning with a regional perspective. In this forum it may be possible for the federal and state agencies to appreciate each others' obligations and concerns more realistically, and come to mutual agreement on areas best suited to more intensive development. A specific issue which could be treated within this same context would be the disposition of state-owned lands in the NRA.

Similar channels should be established in Nevada; particular concerns include the state's interest in expanding Valley of Fire State Park so that it is fully contiguous with the NRA, and Clark County's Wetlands Park proposal in the Las Vegas Wash. Both projects have the potential for providing protection for resources within the NRA.

Superintendent, Lake Mead should take the responsibility for initiating action to establish these communication channels.

2. Increased Interaction With County Zoning Commissions

County zoning will undoubtedly be an important short term mechanism for exerting influence over developments on private lands within or adjacent to the NRA, including lands which might be deleted as in this plan.

It is recommended that the NRA increase its interaction with both Clark and Mohave County zoning authorities and the city of Henderson, NV with the goal of developing an understanding of the special protection needs which may be required on lands adjacent to public parklands. Contacts with staff of these authorities during preparation of this Plan were useful and positive in tone, and suggest there is very good potential for future cooperation.

B. Specific Recommendations

A tract list showing all non-federal lands and their recommended acquisition or protection method is given in Appendix A. The following sections give a descriptive summary of recommendations.

It should be noted that none of these recommendations should be construed as proposing to prevent any acquisitions (by purchase, exchange or donation) now in progress. Furthermore, the NRA should retain the option of acquiring any parcel within the boundary should a proposed use or development be judged incompatible or detrimental to the NRA.

1. Boundary Revisions

Some of the previously proposed boundary revisions should proceed, but action on others should be delayed pending resolution of more general issues in those areas. The parcels which should be deleted by boundary revision pending a final archeological clearance include:

all private parcels in the Muddy River zone of the Overton area;

the two parcels (Rockefeller Claim - 110 ac.) north of Cottonwood Cove road;

the group of private parcels at Katherine (tracts 01-108, 01-109, 01-112 and 01-116);

all private parcels not yet acquired east of the Pearce Ferry Road in Meadview and Lake Mead City subdivisions.

The recommendation to delete these parcels is based on the conclusion that they are not critical to the primary recreation goals of the NRA, and do not contain significant natural or cultural resources.

This conclusion regarding cultural resources is tentative, since although no sites of apparent significance have been reported on these lands, specific surveys have not been undertaken. A final decision on deletion should involve a specific site visit to determine if there are any sites, and to determine their significance. Where materials are identified, and their research value cannot immediately be realized, the alternative of an archeological easement should be explored with the parcel owner before deletion occurred. This might be particularly appropriate on the Overton parcels at the base of Mormon Mesa.

Authority for these deletions by boundary revision is contained in Sec. 2 of the NRA act P.L. 88-639.

Other parcels which are suitable for deletion but on which action should be delayed include all fourteen private parcels in the Hualapai Wash area. At Hualapai Wash, deletion of these private lands would render NPS management of over 11 sections of adjacent federal lands unfeasible. No action should be taken on these lands until the future of the Spring Canyon Pump-Back Storage project is determined.

All parcels for which deletion should be delayed should be given interim status as "acquisition with low priority" (see below).

2. Non-Federal Lands To Be Acquired with High or Medium Priority

The following lands should be acquired in fee:

all Arizona state lands within the boundary are High Priority.

Arizona's lands should be acquired by exchange for federal lands. Acquiring less than fee interest in these state lands is rejected as an alternative on the grounds that allowing even a minimum degree of private development on them would be incompatible with the park's resource management and recreation goals. The state of Arizona has identified the Davis Camp lands as suitable for exchange.

ACQUIRED
~~The one parcel--22.03 acres--is west of the Pearce Ferry Road at Meadview. This is a rim lot inadvertently overlooked in early land acquisitions. Development of the parcel would cause a serious visual intrusion which would be unacceptable.~~

A re-assessment of potential visual intrusions of the skyline overlooking Greggs Basin from Meadview resulted in the identification of lots which should be acquired by the National Recreation Area (NRA). In T 30N, R 17W, Section 15, we acquired the west half of lot #1963 (Tract 21-189) from Williams. Further field studies have disclosed the advisability of acquiring the east half (remaining portion) of lot #1963, plus lot #1964, directly east of lot #1963. This would enable the NRA to secure a critical piece of "sky lined" property.

3. Non-Federal Lands To Be Acquired with Low Priority

The following parcels of non-federal lands should eventually be acquired in fee with Low Priority (3), for the reasons stated.

The 5 parcels--1,353.66 ac.--on the Shivwits Plateau now used for grazing operations. These lands are not immediately critical to park needs. Acquisition by exchange is recommended since there are no immediate threats to park values from current use of these lands. Purchase would, of course, be an option should inconsistent developments be proposed.

The 10 parcels--713.05 ac.--generally known as Capitol Camp but including the Nevada Eagle and El Dorado Eagle mining claims. The indefinite continuance of current mining activities on these patented claims does not pose any greater threat to park values than past disturbance has already caused. Adequate federal laws exist under which continued mining can be regulated. A proposal to change land use, for example to residential development, would have to be reevaluated for compatibility. Donation of lands would be accepted.

The 1 parcel--18.05 ac.--inactive patented claim southeast of Willow Beach. Likelihood of any resumption of mining or any other development is so low that expenditure of acquisition funds is not now justified. Donation would be accepted.

The 58 parcels--11.85 ac.--at Katherine already in an improved residential subdivision. Although not really consistent with the public use goals of the Katherine area, these private parcels are already developed, and assigning a high priority to the acquisition of either the developed or undeveloped sites is not justified by their current intrusion and impacts. Continued monitoring and cooperation with county agencies is recommended so that any further improvements or changes to existing structures or utilities meets county regulations.

In addition to the subdivision is a strip of land 100 feet wide by 755 feet long (1.73 acres) extending westerly from the east edge of the property. This small private parcel provides access to the Katherine mine shaft well for water. There is a perfected water right to the mine shaft water source (refer to Deed 58).

The two parcels--74.36 ac.--near Boulder Beach on which water treatment facilities are already developed. The private law granting these lands provides that if they are no longer needed for their intended purpose (water supply) the title will revert to the United States government.

Note: All parcels described as suitable for later deletion by a boundary revision pending resolution of various problems (Section B.1. above) would in the interim be given the same status of acquisition with low priority.

4. Subsurface Mineral Rights

Analysis in this Land Protection Plan concludes there would be a generally negative impact on scenic and natural resources should mining ever be actually carried out in areas where Santa Fe Pacific holds subsurface rights. This would be true especially in areas where there has not been any road access or development in the past. However, until such time as specific proposals are made to explore or develop mineral rights, acquisition of all these subsurface rights should be given low priority (3).

5. Hualapai Indian Reservation Lands

Although a legal determination would have to be made to clarify the authority to purchase, it appears possible that any lands which are to be considered for an easement could first be declared as within the boundary (P.L. 88-639 Sec. 3(a)), thus making them eligible for purchase of an easement. Management of any easement would probably be the responsibility of Grand Canyon N.P. since that park manages the land on the north side of the river.

6. Bureau of Reclamation Withdrawn Lands

The NRA welcomes the recent revocation of previously withdrawn lands on the Shivwits Plateau, and the action in progress to revoke withdrawal of most lands around Lakes Mead and Mohave.

7. Minor Boundary Revisions Involving Federal Land

As a result of the Grand Canyon NP enlargement act there are a number of detached fingers of land on the Sanup and Shivwits plateaus which are under various administrations (Lake Mead, Grand Canyon or BLM). A transfer of these small parcels (during a boundary revision as recommended relating to non-federal lands above in B.1.) would provide for more effective administration without diminishing the degree of federal control needed for protection.

Existing boundary revision authority P.L. 88-639 Sec. 2 appears adequate for such transfers.

VI. APPENDIXES

A: Tract List of Nonfederal Lands to be Protected within Lake Mead NRA	32
B: Enabling Legislation for Lake Mead NRA	37



A: TRACT LIST OF NONFEDERAL LANDS TO BE PROTECTED WITHIN LAKE MEAD NRA (with recommended acquisition or protection methods and priorities)

Note:

Column 1: Tracts are listed by NPS segment and tract number. To relate the segments to geographic areas used in the text, use the following guide -

<u>Area</u>	<u>NPS segments involved</u>
Overton	08, 19, 20
Cottonwood Cove	02
Katherine	01, 17
Hualapai Wash	09
Meadview	21-25, 27
Goldstrike	04
Capitol Camp	03
Willow Beach	03
Shiwits Plateau	12, 14
State lands	01, 02, 12, 14
Mineral rights lands	02, 09, 12, 14, 15
Hualapai lands	13, 16

Column 5: Abbreviations are as follows -

- DBR - Delete through boundary revision
- AF-1, 2 or 3 - Acquire in fee with priority 1, 2, or 3
- AF-3 (BR) - Suitable for later deletion by boundary revision, held in low priority acquisition category until then
- ACE - Acquire less-than-fee conservation easement
- NA - Not to be acquired for various reasons

1 NPS Tract Number	2 Landowner	3 Acreage	4 Interest	5 Protection Method	6 Rationale (See Text)
01-105	Arizona	40.0	fee	AF-3	development unacceptable here
01-106	Arizona	640.0	fee	AF-3	development unacceptable here
01-108	Vault Gold Inc.	10.33	fee	DBR	not critical to NRA
01-109	Murray	90.22	fee	DBR	not critical to NRA
01-112	Andalman	160.0	fee	DBR	not critical to NRA
01-115	Landon	80.0	fee	DBR	not critical to NRA
01-127	Santa Fe RR	320.0	min. & const.	AF-3	mining unacceptable some areas
01-129	Santa Fe RR	80.0	min. & const.	AF-3	mining unacceptable some areas
01-130	Santa Fe RR	20,392.11	min.	AF-3	mining unacceptable some areas
02-103	Arizona	641.20	fee	AF-3	development unacceptable here
02-114	Segearson	100.40	fee	DBR	not critical to NRA
02-115	Pullum	9.60	fee	DBR	not critical to NRA
02-124	Santa Fe RR	120.0	min.	AF-3	mining unacceptable some areas
02-126	Santa Fe RR	640.0	min.	AF-3	mining unacceptable some areas
03-101	Schlinger	18.05	fee	AF-3	unlikely development would occur
03-102	Pravorne	81.45	fee	AF-3	mining impacts controlled by regs
03-103	Chadburn	119.66	fee	AF-3	mining impacts controlled by regs
03-105	Consol Eldorado	36.36	fee	AF-3	mining impacts controlled by regs
03-106	Bronken	87.86	fee	AF-3	mining impacts controlled by regs
03-107	Estrella	84.31	fee	AF-3	mining impacts controlled by regs
03-108	Huebner	16.57	fee	AF-3	mining impacts controlled by regs
03-109	Allen	24.08	fee	AF-3	mining impacts controlled by regs
03-110	Bronken	117.58	fee	AF-3	mining impacts controlled by regs
03-111	Consol Eldorado	107.84	fee	AF-3	mining impacts controlled by regs
03-112	T.A.B. Construc.	37.34	fee	AF-3	mining impacts controlled by regs
04-104	Lakeview Co	36.89	fee		by legal agreement?
05-106	Basic Manage	15.0	fee		public service (water treatment)
05-107	Basic Manage	59.36	fee		public service (water treatment)
05-108	Nevada	4.88	fee	AF-3?	title unclear - may be federal
08-102	Johnson	40.0	fee	AF-2	private development unacceptable
08-103	Jone	40.0	fee	AF-2	private development unacceptable
08-104	Clark County*	40.0	fee	AF-2	private development unacceptable
08-107	Willen	20.0	fee	DBR	not critical to NRA
08-108	Ishimoto	20.0	fee	DBR	not critical to NRA
08-111	McDonald Mine	10.0	fee	DBR	not critical to NRA
08-112	McDonald Mine	5.0	fee	DBR	not critical to NRA
08-114	Stewart	80.0	fee	DBR	not critical to NRA
09-107	Ariz. Woolgrwr.	320.0	fee	AF-3 (BR)	first arrange fed. land exchange
09-108	Pope	640.0	fee	AF-3 (BR)	first arrange fed. land exchange
09-111	Pope	158.88	fee	AF-3 (BR)	first arrange fed. land exchange
09-113	Smith	40.11	fee	AF-3 (BR)	first arrange fed. land exchange
09-114	Ariz. Title Insur.	600.25	fee	AF-3 (BR)	first arrange fed. land exchange
09-115	Ariz. Title Insur.	640.56	fee	AF-3 (BR)	first arrange fed. land exchange
09-116	Twin Lakes R.	480.0	fee	AF-3 (BR)	first arrange fed. land exchange
09-119	Twin Lakes R.	156.28	fee	AF-3 (BR)	first arrange fed. land exchange
09-120	Lustiger	640.0	fee	DBR	already subdivided, not critical
09-124	Twin Lake R.	10.0	fee	AF-3 (BR)	first arrange fed. land exchange
09-125	Minn Title Co.	630.0	fee	AF-3 (BR)	first arrange fed. land exchange
09-126	Giambroni	20.0	fee	AF-3 (BR)	first arrange fed. land exchange
09-127	Fishel	20.0	fee	AF-3 (BR)	first arrange fed. land exchange
09-128	Gerst	100.0	fee	AF-3 (BR)	first arrange fed. land exchange

24/1/2

1 NPS Tract Number	2 Landowner	3 Acreage	4 Interest	5 Protection Method	6 Rationale (See Text)
09-133	Ventura	32.03	fee	AF-3	private development unacceptable Original 1992
09-134	Richardson	180.0	fee	AF-3 (BR)	first arrange fed. land exchange
09-136	Santa Fe RR	158.88	min. & const.	AF-3	within poss. Hualapai wash delet.
09-137	Santa Fe RR	640.0	min.	AF-3	not within possible deletion
09-138	Santa Fe RR	320.0	min. & const.	AF-3	within poss. Hualapai wash delet.
09-141	Santa Fe RR	320.0	min. & const.	AF-3	within poss. Hualapai wash delet.
09-142	Santa Fe RR	2,553.76	min.	AF-3	within Meadview deletion
09-143	Santa Fe RR	4,159.48	min.	AF-3	within poss. Hualapai deletion
11-101	Hualapai Tribe	224,420.20	fee	NA	only small corridor needed for development control
12-106	Mathis	312.86	fee	AF-3	private development unacceptable
12-107	Mathis	320.80	fee	AF-3	private development unacceptable
12-108	Mathis	320.00	fee	AF-3	private development unacceptable
12-111	Mathis	320.00	fee	AF-3	private development unacceptable
12-113	Mathis	80.00	fee	AF-3	private development unacceptable
12-123	Santa Fe RR	641.12	min.	AF-3	mining unacceptable some areas
12-124	Santa Fe RR	19.43	min.	AF-3	mining unacceptable some areas
12-125	Santa Fe RR	2,912.12	min. 478.44	AF-3	mining unacceptable some areas
12-126	Santa Fe RR	125.19	min.	AF-3	mining unacceptable some areas
12-127	Santa Fe RR	10.23	min.	AF-3	mining unacceptable some areas
12-128	Santa Fe RR	840.98	min. & const.	AF-3	mining unacceptable some areas
12-129	Santa Fe RR	5.0	min.	AF-3	mining unacceptable some areas
12-130	Santa Fe RR	461.86	min.	AF-3	mining unacceptable some areas
12-131	Santa Fe RR	39.06	min.	AF-3	mining unacceptable some areas
12-134	Santa Fe RR	312.86	min.	AF-3	mining unacceptable some areas
12-135	Santa Fe RR	320.00	min. & const.	AF-3	mining unacceptable some areas
12-136	Santa Fe RR	22,602.95	min. 4043.92	AF-3	mining unacceptable some areas
12-137	Santa Fe RR	320.00	min. & const.	AF-3	mining unacceptable some areas
12-138	Santa Fe RR	19.20	min.	AF-3	mining unacceptable some areas
12-139	Santa Fe RR	12.80	min.	AF-3	mining unacceptable some areas
12-140	Santa Fe RR	12.80	min.	AF-3	mining unacceptable some areas
12-141	Santa Fe RR	189.00	min.	AF-3	mining unacceptable some areas
12-142	Santa Fe RR	442.84	min.	AF-3	mining unacceptable some areas
12-143	Santa Fe RR	320.00	min.	AF-3	mining unacceptable some areas
14-105	Arizona	440.00	fee		development unacceptable
14-111	Arizona	640.00	fee		development unacceptable
14-114	Santa Fe RR	105.56	min.	AF-3	mining unacceptable some areas
15-103	Santa Fe RR	29.39	min.	AF-3	mining unacceptable some areas
15-104	Santa Fe RR	15.62	min.	AF-3	mining unacceptable some areas
17-101	Spencer	0.11	fee	AF-3	already subdivided, developed
17-102	Crawford	0.14	fee	AF-3	not critical to NRA
17-103	Whitlock	0.14	fee	AF-3	not critical to NRA
17-104	Spencer	0.14	fee	AF-3	not critical to NRA
17-105	McCall	0.14	fee	AF-3	not critical to NRA
17-106	Duhalde	0.14	fee	AF-3	not critical to NRA
17-107	West	0.14	fee	AF-3	not critical to NRA
17-108	Schuetz Dev	0.14	fee	AF-3	not critical to NRA
17-109	White	0.14	fee	AF-3	not critical to NRA

1 NPS Tract Number	2 Landowner	3 Acreage	4 Interest	5 Protection Method	6 Rationale (See Text)
17-110	Davenport	0.14	fee	AF-3	not critical to NRA
17-111	Gilland	0.14	fee	AF-3	not critical to NRA
17-112	Lougee	0.14	fee	AF-3	not critical to NRA
17-113	Countryman	0.14	fee	AF-3	not critical to NRA
17-114	Snider	0.14	fee	AF-3	not critical to NRA
17-115	Cranor	0.18	fee	AF-3	not critical to NRA
17-116	Jones	0.14	fee	AF-3	not critical to NRA
17-117	Huffman	0.14	fee	AF-3	not critical to NRA
17-118	Coleman	0.14	fee	AF-3	not critical to NRA
17-119	Lehmann	0.17	fee	AF-3	not critical to NRA
17-120	Morant	0.14	fee	AF-3	not critical to NRA
17-121	Ariz. Land T&T	0.26	fee	AF-3	not critical to NRA
17-122	Salisbury	0.15	fee	AF-3	not critical to NRA
17-123	Salisbury	0.15	fee	AF-3	not critical to NRA
17-124	Manderscheid	0.15	fee	AF-3	not critical to NRA
17-125	Ingram	0.15	fee	AF-3	not critical to NRA
17-126	Ariz. T&T	0.22	fee	AF-3	not critical to NRA
17-127	Barlow	0.15	fee	AF-3	not critical to NRA
17-128	Reneau	0.15	fee	AF-3	not critical to NRA
17-129	Ariz. T&T	0.20	fee	AF-3	not critical to NRA
17-131	Manderscheid	0.15	fee	AF-3	not critical to NRA
17-132	Rayborn	0.15	fee	AF-3	not critical to NRA
17-133	Allison	0.15	fee	AF-3	not critical to NRA
17-134	Ariz. Land T&T	0.36	fee	AF-3	not critical to NRA
17-135	Politovitch	0.15	fee	AF-3	not critical to NRA
17-136	Allison	0.14	fee	AF-3	not critical to NRA
17-137	Allison	0.14	fee	AF-3	not critical to NRA
17-138	Brigham	0.24	fee	AF-3	not critical to NRA
17-139	Gairath	0.28	fee	AF-3	not critical to NRA
17-140	Stimson	0.14	fee	AF-3	not critical to NRA
17-141	Baker	0.14	fee	AF-3	not critical to NRA
17-142	Collins	0.14	fee	AF-3	not critical to NRA
17-143	Garret	0.14	fee	AF-3	not critical to NRA
17-144	Armos	0.14	fee	AF-3	not critical to NRA
17-145	Allensworth	0.14	fee	AF-3	not critical to NRA
17-146	Gordon	0.14	fee	AF-3	not critical to NRA
17-147	Frank	0.14	fee	AF-3	not critical to NRA
17-148	Bacon	0.14	fee	AF-3	not critical to NRA
17-149	Laberge	0.14	fee	AF-3	not critical to NRA
17-150	Spensar	0.14	fee	AF-3	not critical to NRA
17-151	Britt	0.26	fee	AF-3	not critical to NRA
17-152	Grounds	0.26	fee	AF-3	not critical to NRA
17-153	Grounds	0.26	fee	AF-3	not critical to NRA
17-154	Grounds	0.26	fee	AF-3	not critical to NRA
17-155	Grounds	0.50	fee	AF-3	not critical to NRA
17-156	Unknown	2.42	fee	AF-3	not critical to NRA
17-157	Sutherland	0.04	fee	AF-3	not critical to NRA
17-158	Sutherland	0.13	fee	AF-3	not critical to NRA
19-101	Baynton	1.00	fee	AF-2	development unacceptable
19-102	Clark County*	3.00	fee	AF-2	development unacceptable
19-103	Wood	1.00	fee	AF-2	development unacceptable
19-104	Fisher	1.00	fee	AF-2	development unacceptable
19-105	Rose	1.00	fee	AF-2	development unacceptable
19-106	Klechner	1.00	fee	AF-2	development unacceptable
19-107	Clark County*	1.00	fee	AF-2	development unacceptable
19-108	Vander	1.00	fee	AF-2	development unacceptable
19-109	Clark County*	5.00	fee	AF-2	development unacceptable
19-110	Nicholson	3.00	fee	AF-2	development unacceptable
19-111	Dornoy	2.00	fee	AF-2	development unacceptable
19-112	Clark County*	4.00	fee	AF-2	development unacceptable
19-113	Hamiin	1.00	fee	AF-2	development unacceptable
19-114	Brewster	1.00	fee	AF-2	development unacceptable
19-115	Clark County*	4.00	fee	AF-2	development unacceptable

1 NPS Tract Number	2 Landowner	3 Acreage	4 Interest	5 Protection Method	6 Rationale (See Text)
19-116	Dawson	1.00	fee	AF-2	development unacceptable
19-117	Clark County*	5.00	fee	AF-2	development unacceptable
19-118	Small	1.00	fee	AF-2	development unacceptable
19-119	Howard	3.00	fee	AF-2	development unacceptable
20-101	Cain	1.00	fee	AF-2	development unacceptable
20-102	Kohler	1.00	fee	AF-2	development unacceptable
20-103	Quillman	1.00	fee	AF-2	development unacceptable
20-104	Matchett	1.00	fee	AF-2	development unacceptable
20-105	Treymayne	1.00	fee	AF-2	development unacceptable
20-106	Benza	1.00	fee	AF-2	development unacceptable
20-107	Fafeita	1.00	fee	AF-2	development unacceptable
20-108	Clark County*	13.00	fee	AF-2	development unacceptable
20-109	Close	5.00	fee	AF-2	development unacceptable
20-110	Campbell	1.00	fee	AF-2	development unacceptable
20-111	Brockert	1.00	fee	AF-2	development unacceptable
20-112	Fisher	1.00	fee	AF-2	development unacceptable
20-113	Peterson	1.00	fee	AF-2	development unacceptable
20-114	Fafeita	1.00	fee	AF-2	development unacceptable
20-115	Larue	2.00	fee	AF-2	development unacceptable
20-116	Clark County*	1.00	fee	AF-2	development unacceptable
20-117	Overdevest	1.00	fee	AF-2	development unacceptable
20-118	Larue	1.00	fee	AF-2	development unacceptable
20-119	Kirchen	1.00	fee	AF-2	development unacceptable
20-120	Shaw	1.00	fee	AF-2	development unacceptable
20-121	Close	1.00	fee	AF-2	development unacceptable
20-122	Zugsmith	1.00	fee	AF-2	development unacceptable
20-123	Feczko	1.00	fee	AF-2	development unacceptable

*most of these county tracts have been redeemed; 5 ac. remains

21-196	Unknown	264.01	fee	NA	prior agreement
22-124	Unknown	270.86	fee	AF-3 (BR)	not critical to NRA
23-137	Unknown	257.03	fee	AF-3 (BR)	not critical to NRA
24-101	Unknown	320.00	fee	AF-3 (BR)	not critical to NRA
25-101	Unknown	1,261.82	fee	AF-3 (BR)	not critical to NRA
27-102	Unknown	157.53	fee	AF-3 (BR)	Lake Mead City land in federal section DBR

APPENDIX B - ENABLING LEGISLATION FOR LAKE MEAD NRA

Public Law 88-629
88th Congress, S. 633
October 8, 1964



An Act

To provide an adequate basis for administration of the Lake Mead National Recreation Area, Arizona and Nevada, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the national significance of the Lake Mead National Recreation Area, in the States of Arizona and Nevada, and in order to establish a more adequate basis for effective administration of such area for the public benefit, the Secretary of the Interior hereafter may exercise the functions and carry out the activities prescribed by this Act.

Sec. 2. Lake Mead National Recreation Area shall comprise that particular land and water area which is shown on a certain map, identified as "boundary map, RA-LM-7060-B, revised July 17, 1963", which is on file and which shall be available for public inspection in the office of the National Park Service of the Department of the Interior. An exact copy of such map shall be filed with the Federal Register within thirty days following the approval of this Act, and an exact copy thereof shall be available also for public inspection in the headquarters office of the superintendent of the said Lake Mead National Recreation Area.

The Secretary of the Interior is authorized to revise the boundaries of such national recreation area, subject to the requirement that the total acreage of that area, as revised, shall be no greater than the present acreage thereof. In the event of such boundary revision, maps of the recreation area, as revised, shall be prepared by the Department of the Interior, and shall be filed in the same manner, and shall be available for public inspection also in accordance with the aforesaid procedures and requirements relating to the filing and availability of maps. The Secretary may accept donations of land and interests in land within the exterior boundaries of such area, or such property may be procured by the Secretary in such manner as he shall consider to be in the public interest.

In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property located within the boundaries of the recreation area and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary, notwithstanding any other provision of law. The properties so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

Establishment or revision of the boundaries of the said national recreation area, as herein prescribed, shall not affect adversely any valid rights in the area, nor shall it affect the validity of withdrawals heretofore made for reclamation or power purposes. All lands in the recreation area which have been withdrawn or acquired by the United States for reclamation purposes shall remain subject to the primary use thereof for reclamation and power purposes so long as they are withdrawn or needed for such purposes. There shall be excluded from the said national recreation area by the Secretary of the Interior any property for management or protection by the Bureau of Reclamation, which would be subject otherwise to inclusion in the said recreation area, and which the Secretary of the Interior considers in the national interest should be excluded therefrom.

Sec. 3. The authorities granted by this Act shall be subject to the following exceptions and qualifications when exercised with respect

Lake Mead National Recreation Area, Administration.

Boundaries.

Filing with Federal Register.

Secretary of the Interior.

Donations of Land.

Property acquisition.

Property exclusion.

Shoshone Indian Lands.

to be included or allotted lands of the Hualapai Indians that may be included within the exterior boundaries of the Lake Mead National Recreation Area.

(a) The inclusion of Indian lands within the exterior boundaries of the area shall not be effective until approved by the Hualapai Tribal Council.

(b) Mineral developments or use of the Indian lands shall be permitted only in accordance with the laws that relate to Indian lands.

(c) Leases and permits for general recreational use, business sites, home sites, vacation cabin sites, and grazing shall be executed in accordance with the laws relating to leases of Indian lands, provided that all development and improvement leases so granted shall conform to the development program and standards prescribed for the Lake Mead National Recreation Area.

(d) Nothing in this Act shall deprive the members of the Hualapai Tribe of hunting and fishing privileges presently exercised by them, nor diminish those rights and privileges of that part of the reservation which is included in the Lake Mead Recreation Area.

Recreational purposes.

SEC. 4. (a) Lake Mead National Recreation Area shall be administered by the Secretary of the Interior for general purposes of public recreation, benefit, and use, and in a manner that will preserve, develop, and enhance, so far as practicable, the recreation potential and in a manner that will preserve the scenic, historic, scientific, and other important features of the area, consistently with applicable reservations and limitations relating to such area and with other authorized uses of the lands and properties within such area.

Activities.

(b) In carrying out the functions prescribed by this Act, in addition to other related activities that may be permitted hereunder, the Secretary may provide for the following activities, subject to such limitations, conditions, or regulations as he may prescribe, and to such extent as will not be inconsistent with either the recreational use or the primary use of that portion of the area heretofore withdrawn for reclamation purposes:

- (1) General recreation use, such as bathing, boating, camping, and picnicking;
- (2) Grazing;
- (3) Mineral leasing;
- (4) Vacation cabin site use, in accordance with existing policies of the Department of the Interior relating to such use, or as such policies may be revised hereafter by the Secretary.

Hunting, fishing, trapping.

SEC. 5. The Secretary of the Interior shall permit hunting, fishing, and trapping on the lands and waters under his jurisdiction within the recreation area in accordance with the applicable laws and regulations of the United States and the respective States: *Provided*, That the Secretary, after consultation with the respective State fish and game commissions, may issue regulations designating zones where and establishing periods when no hunting, fishing, or trapping shall be permitted for reasons of public safety, administration, or public use and enjoyment.

Regulations.

SEC. 6. Such national recreation area shall continue to be administered in accordance with regulations heretofore issued by the Secretary of the Interior relating to such areas, and the Secretary may revise such regulations or issue new regulations to carry out the purposes of this Act. In his administration and regulation of the area, the Secretary shall exercise authority, subject to the provisions and limitations of this Act, comparable to his general administrative authority relating to areas of the national park system.

The superintendent, caretakers, officers, or rangers of such recreation area are authorized to make arrests for violation of any of the regulations applicable to the area or prescribed pursuant to this Act, and they may bring the offender before the nearest commissioner, judge, or court of the United States having jurisdiction in the premises.

Arrests.

Any person who violates a rule or regulation issued pursuant to this Act shall be guilty of a misdemeanor, and may be punished by a fine of not more than \$500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

Violations.

Sec. 7. Nothing in this Act shall deprive any State, or any political subdivision thereof, of its civil and criminal jurisdiction over the lands within the said national recreation area, or of its rights to tax persons, corporations, franchises, or property on the lands included in such area. Nothing in this Act shall modify or otherwise affect the existing jurisdiction of the Hualapai Tribe or alter the status of individual Hualapai Indians within that part of the Hualapai Indian Reservation included in said Lake Mead National Recreation Area.

Jurisdiction.

Sec. 8. Revenues and fees obtained by the United States from operation of the national recreation area shall be subject to the same statutory provisions concerning the disposition thereof as are similar revenues collected in areas of the national park system with the exception that those particular revenues and fees including those from mineral developments, which the Secretary of the Interior finds are reasonably attributable to Indian lands shall be paid to the Indian owner of the land, and with the further exception that other fees and revenues obtained from mineral development and from activities under other public land laws within the recreation area shall be disposed of in accordance with the provisions of the applicable laws.

Revenues and fees.

Sec. 9. A United States commissioner shall be appointed for that portion of the Lake Mead National Recreation Area that is situated in Mohave County, Arizona. Such commissioner shall be appointed by the United States district court having jurisdiction thereover, and the commissioner shall serve as directed by such court, as well as pursuant to, and within the limits of, the authority of said court.

Mohave County, Arizona. Appointment of commissioner.

The functions of such commissioner shall include the trial and sentencing of persons committing petty offenses, as defined in title 18, section 1, United States Code: *Provided*, That any person charged with a petty offense may elect to be tried in the district court of the United States, and the commissioner shall apprise the defendant of his right to make such election, but shall not proceed to try the case unless the defendant, after being so apprised, signs a written consent to be tried before the commissioner. The exercise of additional functions by the commissioner shall be consistent with and be carried out in accordance with the authority, laws, and regulations, of general application to United States commissioners. The provisions of title 18, section 3402, of the United States Code, and the rules of procedure and practice prescribed by the Supreme Court pursuant thereto, shall apply to all cases handled by such commissioner. The probation laws shall be

52 Stat. 831. Probation laws.

applicable to persons tried by the commissioner and he shall have power to grant probation. The commissioner shall receive the fees, and none other, provided by law for like or similar services.

Appropriation.

Sec. 10. There are hereby authorized to be appropriated not more than \$1,200,000 for the acquisition of land and interests in land pursuant to section 2 of this Act.

Approved October 8, 1964.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 1039 accompanying H. R. 4010 (Comm. on Interior & Insular Affairs).

SENATE REPORT No. 380 (Comm. on Interior & Insular Affairs).

CONGRESSIONAL RECORD:

Vol. 109 (1963): Aug. 2, considered and passed Senate.

Vol. 110 (1964): Aug. 3, considered and passed House, amended, in lieu of H. R. 4010.

Sept. 28, Senate concurred in House amendment.





United States Department of the Interior

NATIONAL PARK SERVICE

WESTERN REGION

450 GOLDEN GATE AVENUE, BOX 36063
SAN FRANCISCO, CALIFORNIA 94102

IN REPLY REFER TO:

D18(WR-RP)

April 13, 1990

Memorandum

To: Superintendent, Lake Mead National Recreation Area

From: ~~ACTING~~ Regional Director, Western Region

Subject: Land Protection Plan Update, Lake Mead National Recreation Area

Subject update is approved. A copy is enclosed for your records.

Enclosure

cc:

Chief, Division of Land Resources, Western Region, w/c enc.

ADDENDUM TO
LAND PROTECTION PLAN FOR
LAKE MEAD NATIONAL RECREATION AREA

APRIL 6, 1990

Plan Implementation

Mineral rights to tracts on the Shivwits Plateau, owned by the Santa Fe Railroad, were deeded to the National Park Service in 1989 (deed number 88) as follows:

<u>Tract Number</u>	<u>Acreage</u>
12-124	19.43
12-125	478.44 of 2,912.12
12-126	125.19
12-127	10.32
12-128	840.96
12-129	5.00
12-130	461.86
12-136	14,043.98 of 22,602.95
14-114	103.56
15-103	29.30
15-104	15.62

Meetings have been held, and agreement in principle reached between Lake Mead National Recreation Area and the Arizona State Land Department to exchange certain National Park Service lands in the Davis Camp area for certain State Trust lands within Lake Mead National Recreation Area. The exchange is currently on hold pending the resolution of legal impediments that prevent the State from carrying out their part of the agreement.

Park management has identified six tracts of land, totaling 125,000 acres, adjacent to Lake Mead National Recreation Area where scenic values are significant and complementary to the park, and where non-compatible use would adversely affect the park. These areas are Newberry Mountains, Cottonwood Cholla Forest, River Mountains, Bowl of Fire, Wilson Ridge, and Rainbow Gardens. All of these areas are currently administered by the Bureau of Land Management.

Correspondence has been exchanged over the past several years between the Park Region, and Mr. Glindmeier (Venture Capital) in reference to a proposed exchange of Venture's inholding in the Meadview area, totaling 22.03 acres (tract number 09-133), for certain National Park Service lands in that area. To date no progress has been made on the proposal.

Changes to Plan

None.

Recommended: Alan O'Neill
Superintendent

4/9/90
Date

Approved Law Albert
Regional Director
ACTING

4/17/90
Date

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ADDENDUM TO
LAND PROTECTION PLAN
FOR
LAKE MEAD NATIONAL RECREATION AREA

DECEMBER 11, 1992

This addendum updates the Lake Mead National Recreation Area Land Protection Plan which was last updated on April 17, 1990.

Plan Implementation

Tract Number 09-133, 22.03 acres, owned by Mr. Glindmeier (Venture Capital) was acquired in 1992.

Meetings have continued between Lake Mead National Recreation Area and the Arizona State Land Department regarding the exchanges proposed. The Arizona State Constitution does not presently allow the exchange of these lands. Two attempts at obtaining approval for a constitutional amendment have been voted down by the residents of the state. A third attempt will be made in 1994.

T A B Construction, one of the owners of patented mining properties at Capital Camp has contacted us regarding exchange of these properties for Bureau of Land Management lands outside the recreation area. Western Region Lands office is working toward this exchange.

Recommended:

Aian O'Neill
Aian O'Neill, Superintendent
Lake Mead National Recreation Area

December 31, 1992
Date

Approved:

B. Sniffin
Regional Director
Western Region

1/19/93
Date





IN REPLY REFER TO.

United States Department of the Interior



NATIONAL PARK SERVICE
Western Region
600 Harrison Street, Suite 600
San Francisco, California 94107-1372

D18 (WR-RP)

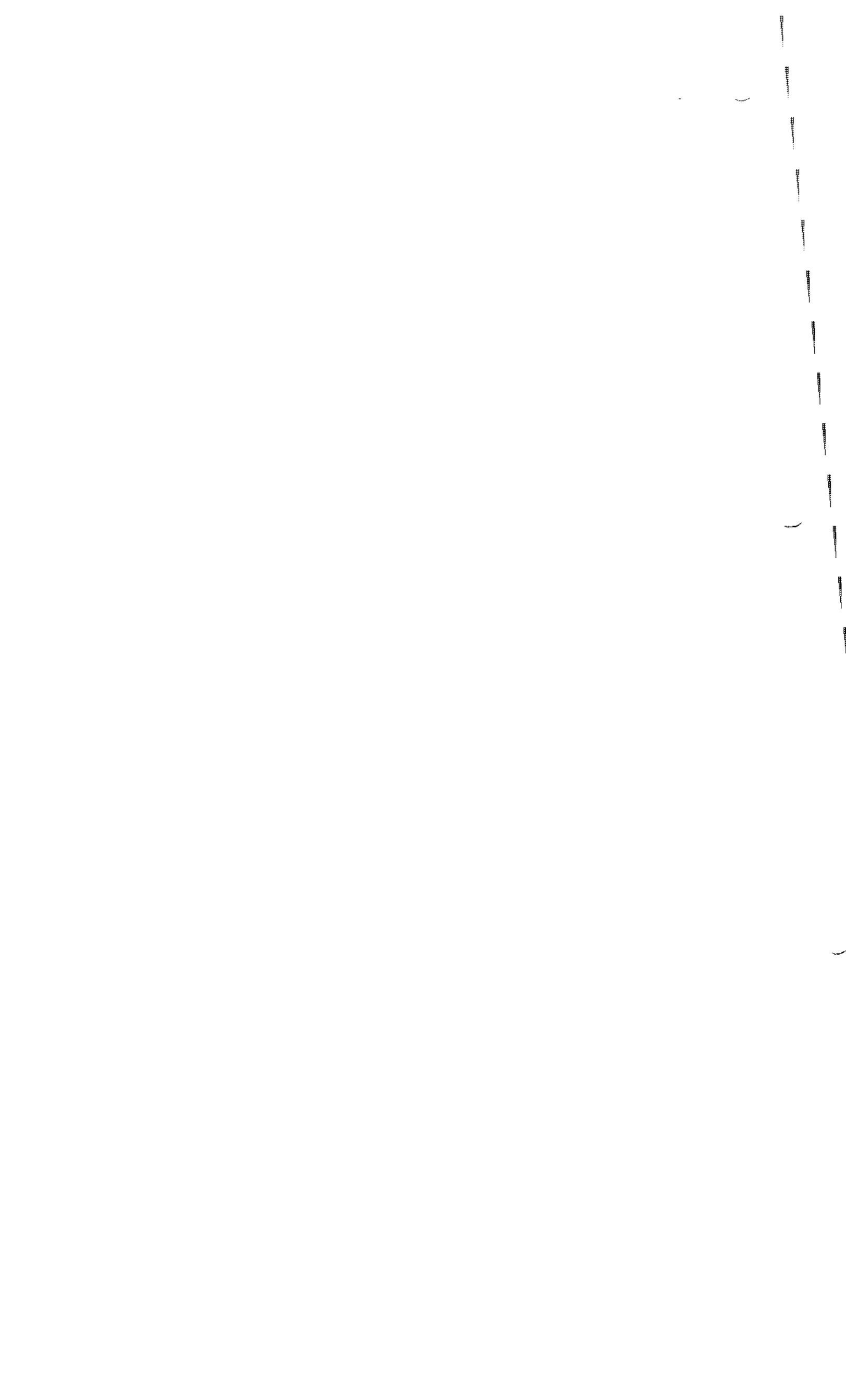
JAN 19 1993

Memorandum

To: Superintendent, Lake Mead National Recreation Area
From: Regional Director
Subject: Land Protection Plan Update for Lake Mead

Subject document is approved and a copy is enclosed.

cc:
Chief, Land Resources, WRO, w/enc.



ADDENDUM TO
LAND PROTECTION PLAN

FOR

LAKE MEAD NATIONAL RECREATION AREA

FEBRUARY 25, 1993

This addendum updates the Lake Mead National Recreation Area Land Protection Plan which was last updated on December 11, 1992.

Plan Implementation

In addition to the contents of the amendment of December 11, 1992, there is an active land exchange proposal on the Maurice McAlister properties, Parcel 01-109, in the Katherine Landing area.

A proposal to establish a hydroelectric pumped-back facility in the Spring Canyon area has upgraded the priority to acquire privately owned lands in the Hualapai Wash. The plan should be amended to remove the exclusion by boundary revision and acquire Segment 9 parcels by land exchange or purchase, Priority 1.

Recommended: _____ February 25, 1993
Alan O'Neill, Superintendent Date

Approved: _____ Date
Regional Director
Western Region



February 19, 1993

MEMORANDUM

To: Director, Western Region
From: Superintendent, Lake Mead National Recreation Area
Subject: Acquisition of Privately owned lands.

Three parcels of privately owned land in the Hualapai Wash have recently been listed with a Realtor. We request that a high priority be given to the timely acquisition of these private parcels.

The lands in question are:

Parcel number 09-108, 640 acres, Section 35, Range 18 West, Township 30 North. Part of the Pope estate. The price is \$112,000. This parcel lays across the main access road to Greggs Hideout and Osprey Bay. Of the three parcels this would be priority one.

Parcel number 09-107, 320 acres, Section 33, Range 18 West, Township 30 North. This half section is not accessible by road. The price is \$52,500. We have denied right of way for access to this property. The property is reportedly in escrow with a closing date of February 27, 1993. The name of the prospective buyer is not known. In the letter denying access we proposed that the owner consider land exchange.

Parcel Number 09-111, 158 acres, Section 31, Range 17 West Township 30 North. the asking price is \$20,000. Acquisition is the lowest priority of the three due to the fact that other privately owned lands exist adjacent to it.

The Land Management Plan for the Recreation Area included these parcels in an area proposed for exclusion by boundary revision with the provision that we attempt to acquire these lands by exchange. The recent revival of a Hydroelectric Pump Back Project similar to the Spring Canyon study and in the same basic location has apparently lead to increased attention to this area for potential private development. The area is a prime basically undisturbed desert area which contains large quantities of cactus and the largest stand of Ocotillo known to exist in the Recreation Area.

While the Land Protection Plan identifies exchange as the method of acquisition, the opportunity for purchase should be considered now that the lands are available.

ADDENDUM TO
LAND PROTECTION PLAN
FOR

LAKE MEAD NATIONAL RECREATION AREA

FEBRUARY 19, 1993

This addendum updates the Lake Mead National Recreation Area Land Protection Plan which was last updated on December 11, 1992.

Plan Implementation

In addition to the contents of the ammendment of December 11, 1992 there is an active land exchange proposal on the McAllester properties in the Katherine's Landing Area.

A proposal to establish a Hydroelectric Pump Back facility in the Spring Canyon area has upgraded the priority to acquire privately owned lands in the Hualapai Wash. The plan should be ammended to remove the exclusion by boundary revision and acquire parcels beginning with 09 which have not been previously acquired to acquisition by land exchange or purchase.

Recommended:

Alan O'Neill, Superintendent

Date

Approved:

Regional Director
Western Region

Date

ADDENDUM TO
LAND PROTECTION PLAN
FOR
LAKE MEAD NATIONAL RECREATION AREA

OCTOBER 21, 2003

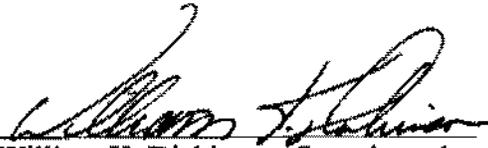
This addendum updates the Lake Mead National Recreation Area Land Protection Plan which was last updated on December 11, 1992.

Plan Amendment:

Tract 04-104, containing 36.89 acres, more or less, is owned by the Lakeview Company. This property has been operated as a casino for the past 40 years and is known as the Hacienda Hotel and Casino. The owners recently contacted the NPS regarding the possibility of purchasing the tract for management as part of Lake Mead National Recreation Area. This is the first time in the 70-year history of Lake Mead NRA that there is a willing seller for this tract. Such lands are available for federal acquisition under the Southern Nevada Public Lands Management Act.

The primary justification for acquiring the property is that these lands are highly visible and support activities that are inconsistent with National Park Service Management Policies. A secondary consideration is the property's proximity to sensitive wildlife habitat. In 1974, the NPS negotiated a condemnation action on the undeveloped lands adjacent to this tract with the understanding that the remainder would not be acquired unless there was a willing seller. This amendment revises the Land Protection Plan to acquire this tract as a priority of AF-1(Acquire in Fee with priority 1).

Recommended:


William K. Dickinson, Superintendent

11/3/03
Date

Approved:


Jonathon Jarvis, Regional Director
Pacific West Region

11/13/03
Date

ADDENDUM TO
LAND PROTECTION PLAN
FOR
LAKE MEAD NATIONAL RECREATION AREA
OCTOBER 21, 2003

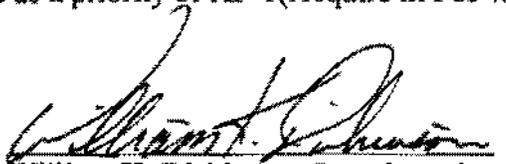
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Recommended:


William K. Dickinson, Superintendent

11/3/03
Date

Approved:


Jonathon Jarvis, Regional Director
Pacific West Region

11/13/03
Date

