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Senate Government Affairs Committee
Testimony Given by John Pappageorge
SB358

I am John Pappageorge. I am representing Clark County resident and businessman, Jim Rhodes. With me are Leonard Grodzinsky and Mike Radojevich.

On Friday, just five days ago, Jim Rhodes purchased the James Hardie Gypsum Mine Site. The Total area of the site is 2648 acres. This site is outside the Red Rock National Conservation Area but inside the boundaries described in SB358.

The four other properties included in SB358, Bonnie Springs Restaurant and Hotel, the Gun Range, Calico Basin and the Town of Blue Diamond, are all within the boundaries of the Red Rock National Conservation Area.

The distinction is very important because Congress has already created legislation that Created the Red Rock Conservation Area. The intent of the federal legislation is clear. Created by an act of Congress, U. S. Code, Title 16, Chapter 15, Sub Chapter CXIV (114) states that the Red Rock National Conservation Area includes its own buffer and no other buffers are to be created:

“The Congress does intend for the establishment of the conservation area to lead to a creation of a protective perimeter or buffer zone around the conservation area.

The fact that there may be activities or uses on lands outside of the conservation area should not preclude such activities of uses on such lands up to the boundary of the conservation area to the extent consistent with other law.”

In fact the community of Summerland is immediately abutting the conservation area with no additional buffer. Rather it is lined with hundreds of homes and is graded for thousands more. If you break down this bill, you will see that the other four properties within the Conservation area will not be adversely restricted because they are built out to their capacity due to water and sewer limitations.

The mine site however, which represents over 80% of the private property affected by this bill and 100% of the property outside the conservation area, would be adversely affected in direct conflict with federal law. It would be deemed a buffer to the Red Rock Conservation Area that already has a buffer built into the area by federal legislation. There is no mistaking the intent of congress.

Secondarily, understanding the roles and constraints of all governmental jurisdictions, we also recognize the danger of putting permanent zoning at the state level. We believe this function should be left to the local elected official to determine, not a Nevada Revised Statute that would not be flexible enough to address the constantly changing dynamics of

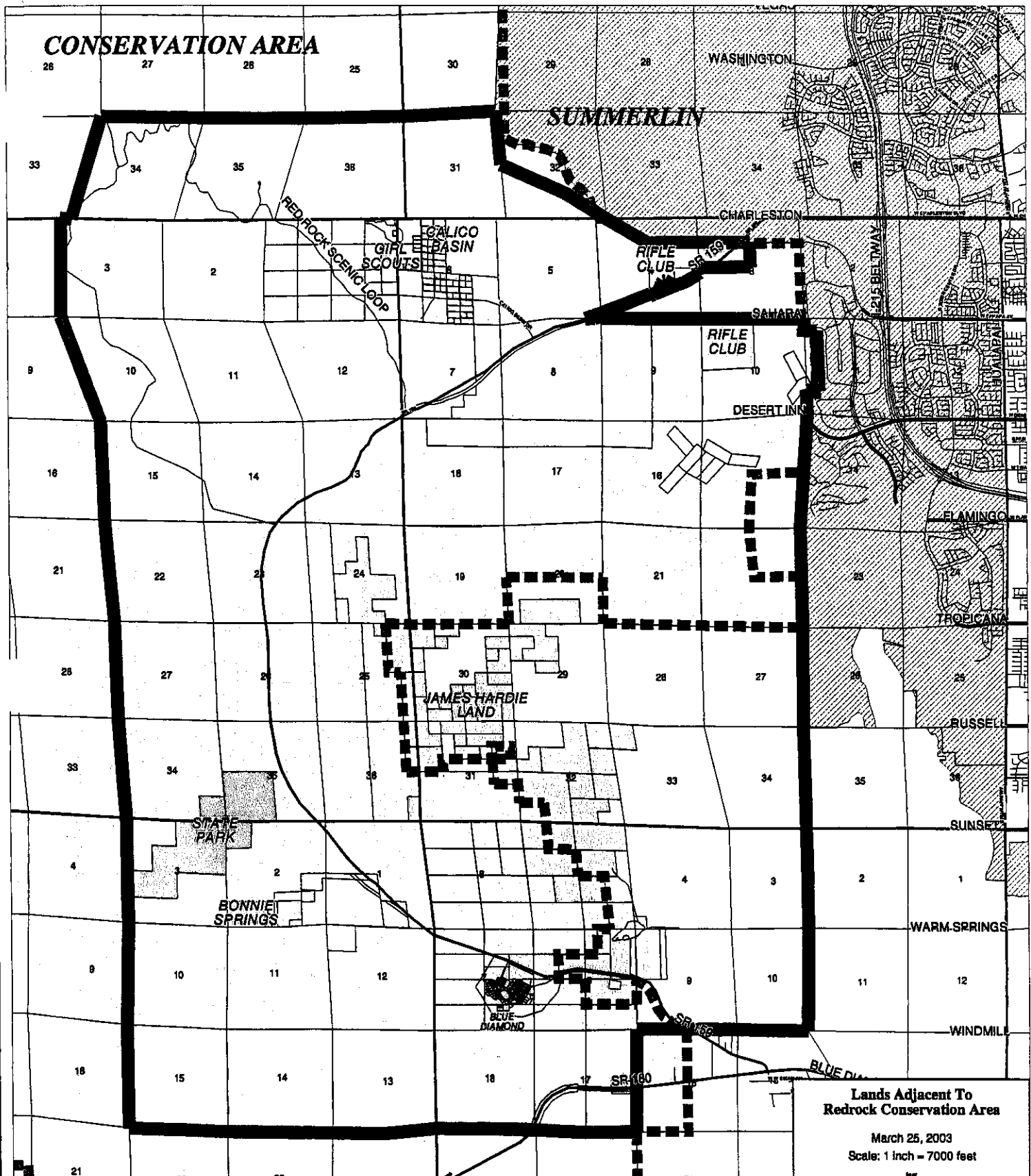
a growing community. Expertise that goes into the planning and zoning process is one that has always been addressed at the local level.

We believe that SB358 effectively removes the duty of land use decisions from the local elected officials.

Senator Titus has put forth this bill because she believes the pristine beauty of Red Rock Canton is being destroyed. I applaud her effort. As a resident of the Las Vegas Valley I too want Red Rocks' beauty to remain as it is. One only has to tour the James Hardie Mine site to realize that there is nothing pristine or beautiful about this area. Eighty years of open mining has left its mark on the earth.

Madam Chairwoman, with your permission, I have a short video I would like the committee to see. After you have viewed the video we would be happy to answer questions.

CONSERVATION AREA



- Adjacent Lands
- Redrock Conservation Area
- BLM Land In Redrock Conservation
- Clark County Lands
- State of Nevada
- Private Lands
- Howard Hughes Properties

Private Lands Inside SB 358 Adjacent Lands

Rifle Club	282 Acre(s)	8 %
Bonnie Springs	120 Acre(s)	4 %
Calico Basin (incl. Girl Scouts)	184 Acre(s)	6 %
Blue Diamond Town	82 Acre(s)	2 %
James Hardie	2549 Acre(s)	81 %
Total	3288 Acre(s)	100 %

Lands Adjacent To Redrock Conservation Area

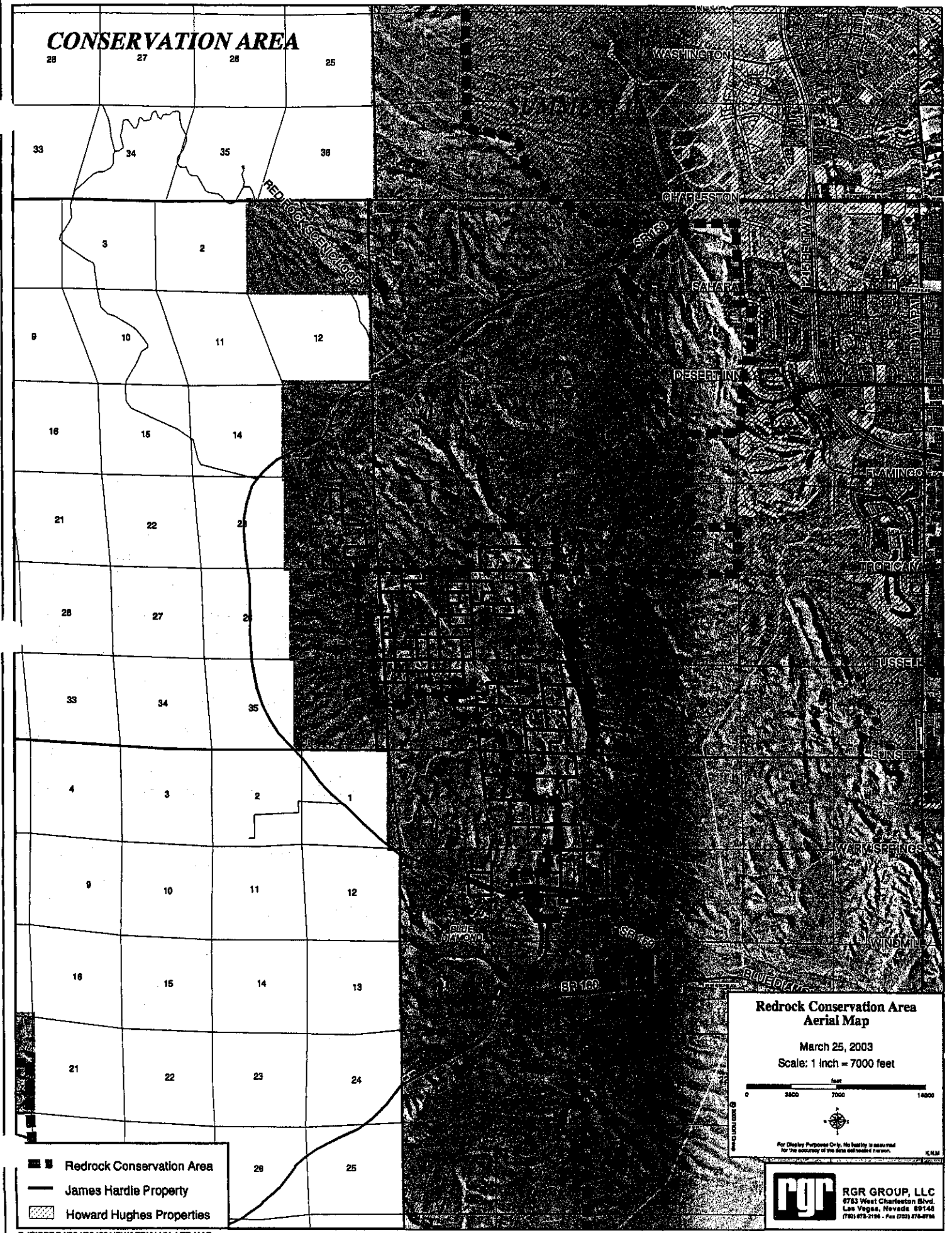
March 25, 2003

Scale: 1 inch = 7000 feet

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CONSERVATION AREA






Redrock Conservation Area Aerial Map

March 25, 2003
Scale: 1 inch = 7000 feet



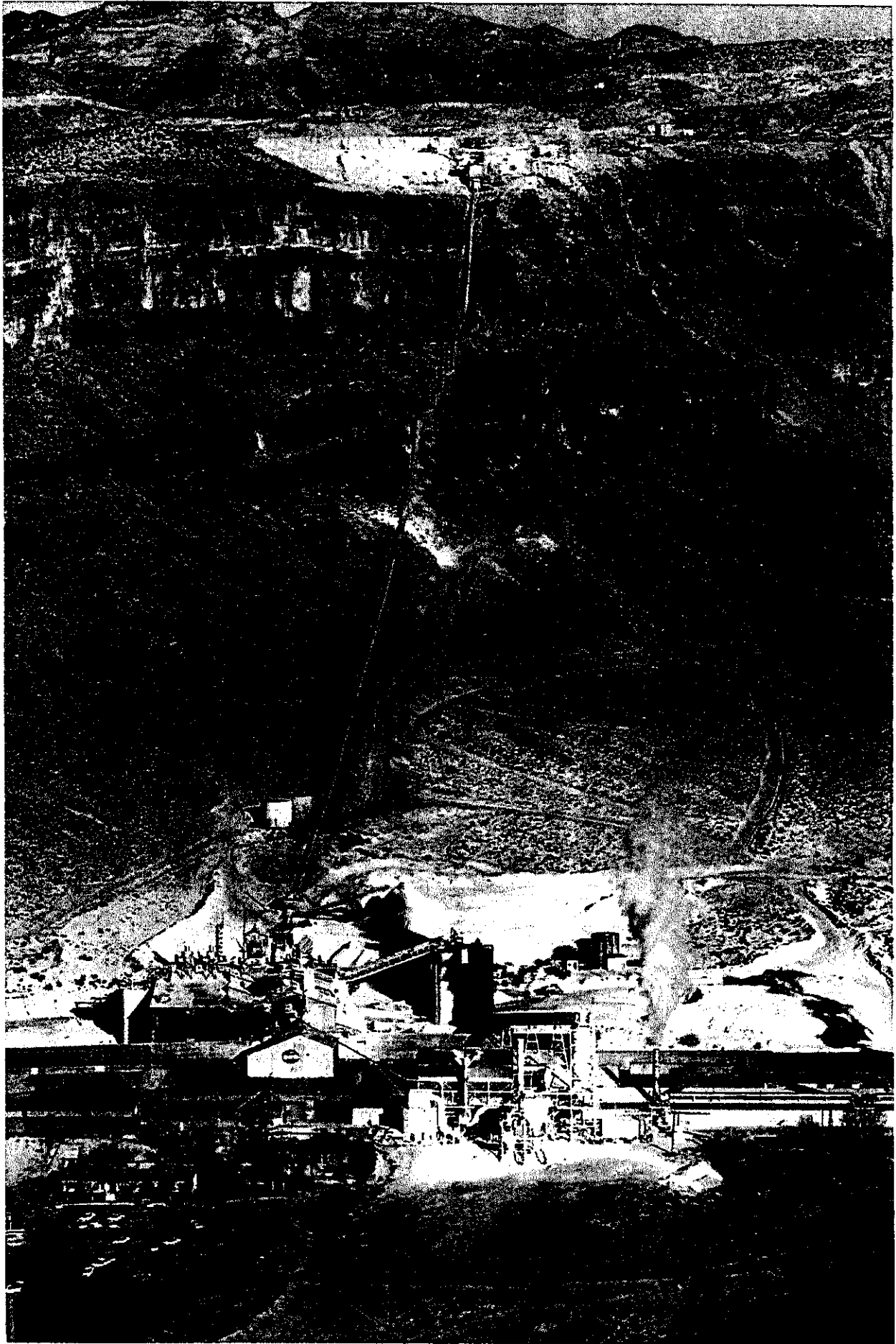
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-  Redrock Conservation Area
-  James Hardie Property
-  Howard Hughes Properties



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GYPSUM BOARD PROCESSING PLANT



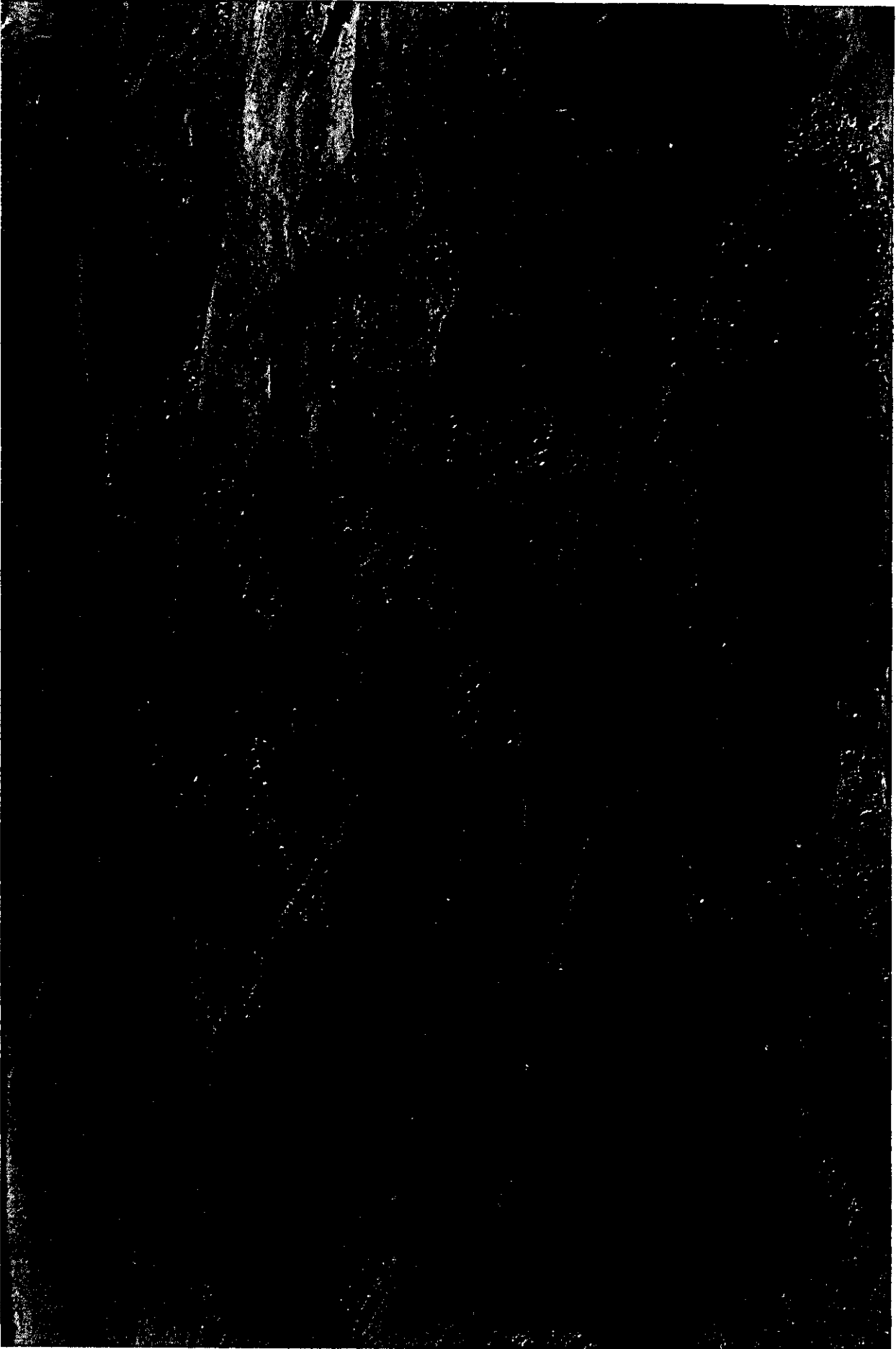
GYPSUM MINE SITE OFFICES



GYPSUM MINE SITE FROM HELICOPTER



GYPSUM MINE SITE FROM HELICOPTER



GYPSUM MINE SITE FROM HELICOPTER



GYPSUM MINE BLASTING



GYPSUM MINE SITE FROM HELICOPTER

December 12, 2002

Development limits proposed

County staff moved to action by Red Rock objections

By Launce Rake

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LAS VEGAS SUN

The county has nominated the land for purchase under the 1998 Southern Nevada Public Land Management Act. But the federal Bureau of Land Management, which would have to take ownership of the property, does not want it.

"We are very, very hesitant," BLM spokesman Phil Guerrero said. "The problem is reclamation. We've got a lot of mined-out land up there and it would be very expensive to reclaim. Who knows how much it would cost?"