

**Statement of
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**House Committee on Natural Resources
Subcommittee on National Parks, Forests, & Public Lands**

**H.R. 252, Pershing County Economic Development and Conservation Act
July 10, 2019**

Thank you for inviting the Department of the Interior (Department) to testify on H.R. 252, the Pershing County Economic Development and Conservation Act. This bill authorizes public land sales, exchanges, and conveyances in Pershing County, Nevada, and designates approximately 136,600 acres of public lands managed by the Bureau of Land Management (BLM) as seven new wilderness areas.

The Department has pledged to expand access to America's public lands, to increase hunting, fishing, and recreational opportunities nationwide, and to enhance conservation stewardship through Secretarial Orders 3347, 3356, 3366, and 3373. To advance those goals, we are focusing on restoring full collaboration and coordination with local communities and making the Department a better neighbor.

Secretary Bernhardt is committed to ensuring that public access for outdoor recreation is adequately weighed when determining the appropriateness of the disposal or exchange of public lands, which is why Secretarial Order 3373 was one of his first orders signed as Secretary. While the Department supports the goals of H.R. 252 that align with this important priority, we are concerned that the broad scope of the proposed land disposals as currently written could ultimately decrease public access and limit outdoor recreational opportunities.

H.R. 252

H.R. 252 directs Federal land sales, exchanges, and conveyances in Pershing County, Nevada. The legislation also designates approximately 136,600 acres of public lands as 7 wilderness areas and releases approximately 48,600 acres of BLM-managed WSAs from further study.

Public Land Sales & Exchanges (Titles I & II)

Title I of H.R. 252 directs the sale, at fair market value, or exchange of up to approximately 334,000 acres of BLM-managed public lands as specified on the legislative map and that have been identified as potentially suitable for disposal as part of the land use planning process. Title I requires that all lands authorized for sale or exchange be appraised en masse within one year of enactment and every five years thereafter. Any of these lands with an appraised value of less than \$500 per acre may be exchanged on an acre-for-acre basis with private land in a Management Priority Area, as identified by the Secretary, within the area depicted on the legislative map. Land sales under Title I may not exceed 150,000 acres; exchanges are exempted from this limitation. The first land sale must be completed within one year of enactment, with at

least one sale conducted every year thereafter, until the acreage limit for sales has been reached, or a sale postponement period requested by the county.

Title II of the bill directs the sale, at fair market value as determined by an appraisal, of up to approximately 102,000 acres of BLM-managed public lands identified on the legislative map to a “qualified entity,” which is defined in the bill as the owner or authorized leaseholder of the mining claims, mill sites, or tunnel sites currently existing on any portion of the lands to be sold. The qualified entity would assume all costs of the sales, including survey and administrative costs.

Proceeds from the sales directed by Titles I and II of the bill would be disbursed to the State of Nevada, Pershing County, and a special account in the U.S. Treasury for a number of specific purposes, including reimbursing costs associated with preparing sales, habitat conservation and restoration, and securing public access to Federal lands, among others.

The Department is committed to increasing access to America’s public lands and is concerned with the broad scope of the sales and transfers contemplated by Titles I and II. We would welcome the opportunity to work with the sponsor on boundary modifications or other language to ensure that the proposed sales and transfers do not inadvertently decrease public access or recreational opportunities in Pershing County and that they ensure a fair return to the American taxpayer.

Wilderness (Title III)

Title III of H.R. 252 designates 7 wilderness areas totaling approximately 136,600 acres. Of these lands, approximately 55,100 acres are within existing wilderness study areas (WSAs) and approximately 81,500 acres have not previously been identified as suitable for wilderness by the BLM. Title III also releases approximately 48,600 acres from WSA status, allowing these areas to be managed according to the existing BLM land use plans. Only Congress can determine whether to designate WSAs as wilderness or to release them for other multiple uses. The WSAs included in the proposed wilderness designations have been pending final resolution by Congress since they were established in 1991.

The Department notes that the lands proposed for wilderness designation by H.R. 252 generally serve as habitat for a diversity of plant and animal life and provide important opportunities for hiking, hunting, rock climbing, camping, horsepacking, and other forms of outdoor recreation in the Nevada desert.

As a matter of policy, the Department supports Congressional action to resolve wilderness designation and WSA release issues on public lands across the West, and we welcome opportunities to further those efforts. However, we also want to ensure that designating new wilderness areas on public lands outside of existing WSAs is the most appropriate land management tool, and that such designations would not unnecessarily impede public access or limit outdoor recreational opportunities. The Department believes that alternative management approaches could conserve sensitive resources while still accommodating the full range of uses and activities permitted on other BLM-managed public lands.

If Congress opts to proceed with designation of these lands as wilderness, we would like to work with the sponsors on minor and technical amendments to this section, including the use of standard wilderness designation language, boundary modifications for enhanced manageability and consistency with the Wilderness Act, and clarifying language related to telecommunications and climatological data collection devices and noxious weed treatments.

Conclusion

As a matter of policy, the Department supports the completion of land exchanges and transfers that further the public interest, consolidate ownership of scattered tracts of land to make them more manageable, and advance public policy objectives. The Department strongly supports restoring full collaboration and coordination with local communities and making the Department a better neighbor.

The Department has substantive as well as minor technical modifications to recommend, and we look forward to working with the sponsor and the committee to resolve these issues. The Department appreciates the work of Congressman Amodei on H.R. 252 and his efforts to promote multiple uses and foster economic development on BLM lands in Nevada.