

**Statement of
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**Senate Committee on Energy and Natural Resources
Subcommittee on Public Lands, Forests, and Mining
S. 4475, the La Paz County Solar Energy and Job Creation Act
September 16, 2020**

Thank you for inviting the Department of the Interior to testify on S. 4475, the La Paz County Solar Energy and Job Creation Act. The bill proposes to convey to La Paz County, Arizona, approximately 4,800 acres of public lands managed by the Bureau of Land Management (BLM). According to the bill's sponsors, the lands to be conveyed are intended to be used to expand a solar energy project in La Paz County. The BLM notes it has the authority to lease public lands for solar development, which may be an alternative approach to conveyance.

The Administration is committed to developing a diverse portfolio of energy resources, including oil, gas, coal, and renewables, such as wind, geothermal, and solar. The BLM is a key contributor to this "all of the above" energy development approach, helping to fulfill the Administration's promise to facilitate domestic energy production, generate revenue, and support jobs in the energy sector.

To achieve these priorities, Secretary Bernhardt is focused on restoring full collaboration and coordination with local communities, working with partners to promote multiple use on public lands, and making the Department a better neighbor. The Department supports the goals of S. 4475 that align with these important priorities. We also would welcome an opportunity to work with the bill sponsors to ensure the responsibilities of each party to the conveyance authorized by the bill are clear.

Background

La Paz County, located in western Arizona, is home to over 20,000 people. The county holds important recreational value because of its close proximity to the Colorado River; three National Wildlife Refuges; and a number of cultural and historic sites, including old mines and ghost towns. The approximately 4,800 acres of BLM-managed public land to be conveyed to La Paz County under S. 4475 are primarily utilized for livestock grazing and include range improvements to facilitate grazing. The lands have not been identified as potentially suitable for disposal in the Yuma Resource Management Plan, which the BLM completed in 2010.

On March 12, 2019, President Trump signed into law Public Law 116-9, also known as the John D. Dingell Jr. Conservation, Management, and Recreation Act, which represented the single largest public lands package in a decade. P.L. 116-9 included provisions directing the conveyance to La Paz County of approximately 5,900 acres of public lands for economic development and renewable energy generation. Following the passage of P.L. 116-9, Secretary Bernhardt signed Secretary's Order 3374, which created a task force at the Department to ensure

all timelines laid out in the law were met. On May 22, 2020, Secretary Bernhardt and the BLM announced the successful land conveyance to La Paz County in fulfillment of the requirements of P.L. 116-9.

S. 4475

S. 4475 directs the Secretary of the Interior to convey approximately 4,800 acres managed by the BLM to La Paz County as soon as practicable after receiving a request from the county to convey the land. The conveyance shall be subject to valid existing rights and such terms and conditions as the Secretary determines to be necessary, and the lands would be withdrawn from mineral entry. The Secretary is required to exclude from the conveyance any Federal land that contains significant cultural, environmental, wildlife, or recreational resources.

The bill requires La Paz County to pay fair market value for the land based on an appraisal conducted using uniform appraisal standards, as well as all costs related to the conveyance, including all surveys, appraisals, and other administrative costs. The proceeds from the sale of the land shall be deposited in the Federal Land Disposal Account and used in accordance with the requirements of the Federal Land Transaction Facilitation Act.

As a condition of the conveyance, La Paz County and any subsequent owner of the conveyed land is required to make good faith efforts to avoid disturbing tribal artifacts. If tribal artifacts are disturbed, La Paz County is required to minimize impacts to the artifacts and allow tribal representatives to rebury artifacts at or near where they were discovered. La Paz County is also required to coordinate with the Colorado River Indian Tribes Tribal Historic Preservation Office to identify artifacts of cultural and historic significance.

Analysis

The BLM is supportive of protecting known resources as part of its multiple use mission, but would like to work with the sponsor to clarify the scope of the resources to be excluded from the lands to be conveyed and ensure the exclusionary language is tailored to align with the sponsors' goals. The BLM also would like to work with the sponsors to develop a new official legislative map of the proposed conveyance to La Paz County, including land status, to be referenced in S. 4475.

The Department is committed to continuing its adherence to the Uniform Appraisal Standards for Federal Land Acquisition and Uniform Standards of Professional Appraisal Practice and appreciates the sponsors including these provisions in the bill. The BLM notes that there are several actions that may be required before the BLM can convey public lands, such as environmental assessments and cultural, biological, and cadastral surveys. The BLM is also aware of possible range improvements present that may need to be compensated for in compliance with the grazing laws and regulations, in addition to the assessment and survey work required for conveyance.

Conclusion

Thank you for the opportunity to present the Department's views on S. 4475. We look forward to working with the sponsors and the Committee on the legislation as it moves forward. I would be happy to answer any questions that you may have.