

**STATEMENT OF LARRY FINFER
ASSISTANT DIRECTOR, BUREAU OF LAND MANAGEMENT
S. 1329 - NYE COUNTY LAND ACQUISITION
S. 1330 - MESQUITE AIRPORT LAND ACQUISITION
BEFORE THE
SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES
SUBCOMMITTEE ON FOREST AND PUBLIC LANDS
JULY 13, 1999**

Mr. Chairman, members of the subcommittee, I appreciate the opportunity to appear before you today to testify on two bills, S. 1329 Nye County Land Acquisition Act and S. 1330 Mesquite Airport Federal Land Transfer Act. Combined, these bills would convey 8,760 acres out of the public domain and into local government management. While the Bureau supports the general intent of these bills, to provide opportunities for these small Nevada communities to expand, we oppose the legislative conveyance and believe the objectives can be accomplished within existing administrative authorities.

The BLM has not received any requests from Nye County or the City of Mesquite to discuss administrative solutions or options to provide land for the proposed uses and facilities. The information on which our testimony is based comes only from our reading of the recently introduced legislation and newspaper reports.

BLM has several options available to support community expansion. Some of the conveyance options available to BLM in lieu of the proposed legislation include land sales, exchanges, airport leases, and the Recreation and Public Purposes Act (R&PP). The R&PP Act authorizes the sale or lease of public lands for specified recreational or public purposes to eligible State and local governments. Situations where the R&PP Act can be applied include proposed campgrounds, schools, fire stations, landfills, parks and other similar county and community facilities. Another option, an airport lease, could be pursued for the Mesquite airport corridor with the proper application submission. Under this scenario, Mesquite would pay 50% of the fair market value for the land. This is consistent with current airport lease applications at the Henderson Executive and Jean Airports, also in Clark County.

S.1329, the Nye County Land Acquisition Act proposes two separate land actions. It proposes to convey 450 acres of public lands (to the county), at no cost, for a Nevada Science and Technology Center and 350 acres at fair market value for the development of a business park to support Department of Energy contractors and suppliers associated with the Nevada Test Site.

The 450 acres for the Technology Center are identified for disposal under BLM's RMP. We may be able to convey the Technology Center properties to Nye County for 50% of fair market value under the authority of the R&PP Act. We would need additional information about the intended use of the facility to determine if the R&PP Act authorities would apply. This information would include a draft development plan and statement of proposed use for the land.

The 350 acres proposed for the business park have been identified for disposal under BLM's October 1998 Las Vegas Resource Management Plan (RMP) and the Bureau would support sale of this property at fair market value within our existing authorities and guidelines.

This bill provides that all proceeds from the sale of these lands will be deposited in a special account established under the Southern Nevada Public Land Management Act of 1998 (SNPLMA). Under this provision, BLM would not be able to recover administrative costs for processing these disposal actions. The SNPLMA currently allows administrative costs to be funded from the special account, but only within the disposal boundary identified by the SNPLMA. We would recommend amending the bill to allow the BLM to recover administrative costs for the disposal actions in Nye County.

S.1330, the Mesquite Airport Federal Land Transfer Act provides the City of Mesquite the exclusive right to purchase multiple parcels of public lands for commercial purposes (5,400 acres) and development/expansion of an airport corridor (2,560 acres).

Most of the lands proposed for conveyance under this bill have not been identified for disposal under BLM's October 1998 Las Vegas RMP. The RMP identified only 4 parcels of the 29 identified in this bill as suitable for disposal. The Bureau supports the sale of these 4 parcels identified for disposal at fair market value. However, actions regarding the remaining parcels should await future completion of land use plan decisions.

The BLM has two additional concerns for lands not identified for disposal within the Mesquite area. First, the Federal Aviation Administration has not completed a suitability assessment for the airport site to determine its appropriateness for aviation use. Further, development of the Mesquite parcels could affect endangered fish that inhabit the Virgin River.

This bill also provides that all proceeds from the sale of these lands will be deposited in a special account under the Southern Nevada Public Land Management Act of 1998 (SNPLMA). Under this provision, BLM would not be able to recover administrative costs for processing of these disposal actions. As we previously noted, the SNPLMA currently allows administrative costs to be funded from the special account, but only within the disposal boundary identified by the SNPLMA. We, again, would recommend amending the bill to allow the BLM to recover administrative costs for the disposal actions in the Mesquite area.

Conclusions

The BLM and the Department do not support conveyance of public lands outside of existing authorities. Moreover, these bills create an additional workload for a lands and realty program that has an existing backlog of other land use authorization applications. The preferred approach would be to process these actions using current authorities. We are willing to work with the subcommittee to explore other options that might meet the needs of Nye County and the City of Mesquite.

That concludes my testimony. I would be glad to respond to any questions.

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