

**STATEMENT OF ROBERT V. ABBEY
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UNITED STATES DEPARTMENT OF THE INTERIOR**

**BEFORE THE
COMMITTEE ON RESOURCES,
SUBCOMMITTEE ON NATIONAL PARKS, RECREATION
AND PUBLIC LANDS**

**OVERSIGHT HEARING ON THE DISPENSATION OF FUNDS FROM THE
SOUTHERN NEVADA PUBLIC LANDS MANAGEMENT ACT**

**LAS VEGAS, NEVADA
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Thank you for the opportunity to participate in today's field hearing to discuss the Southern Nevada Public Lands Management Act of 1998 (SNPLMA). Nevada's Congressional delegation is to be commended for its vision and innovation in developing this law. SNPLMA allows the Bureau of Land Management (BLM) to sell public lands in the Las Vegas Valley to meet the demands for community expansion and economic development, and to use the proceeds from these sales to address critical environmental and educational needs in Clark County and other areas of Nevada. Decisions on land sales and acquisitions authorized by SNPLMA in concert with other applicable laws, and funding for special resource projects authorized under SNPLMA, involve critical input and coordination with local governments and related local entities. SNPLMA has been successful in bringing various groups together to address resource and growth issues in Clark County and elsewhere in the state.

Background

SNPLMA promotes competitive lands sales that allow local interests to have an opportunity to acquire public lands through competitive market auctions. Because SNPLMA provides local governments the opportunity to participate in the selection of lands, and gives them the first right of refusal of lands to be used for public purposes, they are supportive of the Act.

The allocation of SNPLMA proceeds from the sales of public lands subject to SNPLMA is specifically outlined in the law. Five percent of the funds go to the State General Education Fund for the education of Nevada's school children; ten percent goes to the Southern Nevada Water Authority to fund the infrastructure needed to support the development resulting from land sales under the Act; and the remaining 85 percent is deposited into a special account and available to be spent on the following activities:

- to acquire environmentally sensitive lands in the state, with an emphasis in Clark County;
- to support wildlife habitat initiatives through the Clark County Multiple Species Habitat Conservation Plan;
- to fund capital improvement projects at designated Federal recreation areas in Clark County;
- to develop parks, trails, and natural areas in Clark County;
- to implement conservation initiatives in Clark County; and
- to restore Lake Tahoe.

Since enactment of SNPLMA in 1998, the BLM has generated more than \$690 million by selling 5,635.56 acres of public land at 15 public auctions, including 9 oral auctions and 6 on-line auctions. The funds raised thus far have provided the Nevada General Education Fund with nearly \$29 million; the Southern Nevada Water Authority with nearly \$53 million for new infrastructure; and over \$473 million has been

deposited into the special account for the purposes noted above. These disbursements do not include funds generated from recent land sales.

Land Sales

Presently, approximately 49,000 acres of public land are within the disposal boundary designated by SNLPMA as amended by the Clark County Public Land and Natural Resources Act of 2002 (Public Law 107-282). The Clark County Act added approximately 22,000 acres of public land to the disposal boundary area. The BLM is currently developing an Environmental Impact Statement (EIS) to comply with the National Environmental Policy Act requirements for disposing of the additional lands. It is expected that this EIS will be completed in September 2004.

Local government entities in Clark County determine with BLM approval the sequence and timing of lands offered for sale through a process provided for in SNPLMA called "joint selection." Clark County and the cities of Las Vegas, North Las Vegas, and Henderson agree on what parcels they would like to have offered for sale and advise the BLM of their decisions. The BLM believes that it is appropriate for local governments to drive the timing and amount of land that is placed on the market because local officials must determine if the infrastructure, zoning, and other requirements are in place to accommodate the development that will result once the lands are conveyed into private ownership.

BLM contracts with the General Services Administration (GSA) to hold live auctions every six months. Last month the BLM sold an additional 733.75 acres of public land for \$127.1 million. Parcels not sold at the live auction may be offered for sale on the internet by GSA, or they may be offered at future live auctions.

In addition to the land designated for disposal in the Las Vegas Valley under SNPLMA, the BLM has identified nearly 1 million additional acres of land throughout the State under other authorities that are also available for disposal. These are lands that are designated for disposal into private ownership through a public planning process that provides for community expansion and economic development in other areas of Nevada. To date, the BLM has sold 7,700 acres to the City of Mesquite under the Mesquite Land Act of 1986, and we are working with the City on the conveyance of an additional 4,500 acres of land. The BLM is offering for sale 13,500 acres under the Lincoln County Land Act of 2000. Over the next several years, the BLM also plans to offer for sale approximately 21,200 acres of land in 13 Nevada counties outside of Clark County.

The Department of the Interior recently reorganized its land appraisal function and consolidated the Department's various appraisal functions within a newly developed Department office. This reform will provide unbiased land appraisals consistent with the public interest by increasing appraiser independence, making certain that appraisals meet recognized professional standards, and advancing conservation goals.

Expenditures from the Special Account

Since implementation of SNPLMA in 1998, the Secretary has approved over \$630 million in expenditures from the special account. Of that total, \$207 million has been approved for acquisitions of environmentally sensitive lands, \$153 million for capital improvements, \$155 million for parks, trails and natural areas, \$36 million for conservation initiatives, \$44 million for Burton-Santini acquisitions, and \$20 million for multi-species habitat conservation plans.

On October 28, 2003, the Secretary of the Interior, in consultation with the Secretary of Agriculture, approved the fourth round of expenditures from the special account totaling nearly \$376 million. In this most recent round, nearly \$104 million is earmarked for development of 28 park, trail and natural area projects in partnership with local governments in Clark County, \$118 million for capital improvements and

\$101 million for land acquisitions. Seventy-four percent of those expenditures will be made in Clark County.

Some examples of on-going efforts and past successes that were funded using the special account include the following:

Parks, Trails, and Natural Areas - To date, the special account has provided for over \$155 million to park, trail, and natural area projects in Clark County. Funds are used to partner with local governments in Clark County to meet the increasing demand for outdoor recreation, protect significant resources, and link urban areas with public lands as part of a regional trail system. With the special account funds, Clark County purchased more than 750 acres of private lands that were inholdings within the proposed area for the Clark County Wetlands Park (Park). The County Departments of Comprehensive Planning and Parks and Recreation started the Park project in 1999. The Park encompasses about eight square miles along a seven-mile stretch of the Las Vegas Wash in the southeastern corner of the Las Vegas Valley. In addition to providing exceptional recreation opportunities for visitors, park improvements are helping to control erosion of the Las Vegas Wash, increase wildlife and plant diversity, and benefit Lake Mead by controlling erosion and sediment loading.

Conservation Initiatives - Conservation initiatives are a new funding category under SNPLMA authorized by an amendment included in the Clark County Public Land and Natural Resources Act of 2002. Funds are used for the planning, implementation, and monitoring of projects that promote conservation on Federal lands through education and other means. Since passage of this law, over \$36 million have been approved for expenditures benefiting Clark County in this category of activities. One of the first projects to be implemented was an educational outreach program for off-highway vehicle riders. Through a public awareness campaign, riders are being encouraged to stay on roads and trails to control dust and to protect sensitive areas and listed species such as the desert tortoise. Another conservation initiative recently approved is funding for the clean up of unauthorized desert dumping sites.

Federal Recreation Areas in Clark County – The special account is also used to address capital improvement needs in Federally-managed areas within Clark County that receive high annual visitation. These areas include the BLM's Red Rock Canyon National Conservation Area, the National Park Service's Lake Mead National Recreation Area, the Forest Service's Spring Mountains National Recreation Area, and the Fish and Wildlife Service's Desert National Wildlife Refuge. Nearly \$153 million from the special account has been approved to address capital improvements in these areas. BLM is using the special account to build an environmental education facility at Red Rock Canyon National Conservation Area to be operated in cooperation with Clark County Public Schools. The special account is also being used to fund a new visitor center for the Forest Service in the Spring Mountains National Recreation Area; archaeological excavation work by the Fish and Wildlife Service at the Desert National Wildlife Refuge; and the building of boat launch ramps and upgrades of campgrounds by the National Park Service at the Lake Mead National Recreation Area. This resource work and new facilities will enable Federal agencies to provide better visitor services for those who come to enjoy these exceptional recreation areas.

Lake Tahoe Conservation - Within the SNPLMA land disposal boundary a smaller boundary also exists around land designated for disposal in the Burton-Santini Act of 1980. The proceeds from the sale of these lands are specifically designated for the purchase of land around Lake Tahoe. Since the enactment of SNPLMA, nearly \$44 million has been made available for the purchase of land at Lake Tahoe. Additionally, the Fiscal Year 2004 Department of the Interior Appropriations Act (Public Law 108-108) contains an amendment to SNPLMA that authorizes \$300 million to be spent over the next 8 years for project work to restore and preserve Lake Tahoe's water clarity.

Acquisition of Environmentally-Sensitive Land – SNPLMA authorizes the Secretary of the Interior to expend revenue in the special account for the acquisition of environmentally-sensitive lands in Nevada with priority given to lands within Clark County. To date, four rounds of acquisitions have been completed. The nomination process is currently open for the fifth round of acquisitions. The BLM facilitates a

nomination and selection process designed to provide for public input and to identify and prioritize land available from willing sellers. Acquisitions focus on supporting the recovery of threatened or endangered species, protection of riparian areas and associated species in the Virgin River, Muddy River, Lake Mead and Meadow Valley Wash, and enhancement of recreational opportunities.

About one quarter of the fourth round of expenditures recently approved by the Secretary of the Interior are earmarked for the purchase of environmentally-sensitive lands or interests in lands throughout Nevada. While the Secretary of the Interior approved a considerable amount of land for purchase, she also directed the BLM to continue an aggressive land disposal program consistent with BLM land use plans.

Multi-Species Habitat Conservation Plans - With significant growth and development occurring in Clark County, providing for the conservation of sensitive species is critical. SNPLMA has provided more than \$20 million in funding for development of the Clark County Multi-Species Habitat Conservation Plan. One of the projects recently approved by the Secretary of the Interior is the development of a strategy for conservation along the Virgin River to protect several Federally-listed fish species while allowing for property development and community growth.

Land for Education and Community Services

In addition to providing SNPLMA funds to the Nevada General Education Fund from the sale of land, BLM has conveyed land to communities in Nevada for schools and other facilities through the Recreation and Public Purposes Act (R&PP). Through this Act, state and local governments, and qualified non-profit organizations, are authorized use of the public lands for schools, fire houses, municipal and law enforcement facilities, hospitals, churches, parks, campgrounds, landfills, and fairgrounds. Over the past 15 years, the BLM has conveyed approximately 7,530 acres in 105 areas throughout Nevada under the R&PP Act. A significant number of R&PP transfers exist in Clark County, which has the highest number of R&PP transfers BLM-wide.

Additionally, the Clark County Public Land and Natural Resources Act of 2002 directed BLM to convey public land to the City of Las Vegas for the development of low income housing; to establish a research and technology center at the University of Nevada, Las Vegas; to the Las Vegas Metropolitan Police Department for a shooting range; and to the City of Henderson to expand the Nevada State College.

Conclusion

Under the various laws enacted to benefit Nevada, BLM is conveying almost 100,000 acres of public lands into private ownership to accommodate community growth and economic development in Clark County and elsewhere in Nevada. The BLM is pleased to join with State and local government partners to implement SNPLMA and to help address pressing needs in the state. Thank you again for the opportunity to appear here today to discuss SNPLMA and other land disposal actions in Nevada. I will be happy to answer any questions you may have.