

**Statement of
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Bureau of Land Management, Department of the Interior
House Natural Resources Committee
Subcommittee on Federal Lands
H.R. 496, Alabama Hills National Scenic Area Establishment Act
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Thank you for the opportunity to present testimony on H.R. 496, the Alabama Hills National Scenic Area Establishment Act. The bill would designate approximately 18,610 acres of Federal land in the Alabama Hills of Inyo County, California, as the first National Scenic Area within the BLM's National Conservation Lands. H.R. 496 would also authorize a small Federal land conveyance to resolve an encroachment issue and would direct the Secretary of the Interior to take approximately 132 acres of Federal land into trust for the benefit of the Lone Pine Paiute-Shoshone Tribe. The BLM supports the protection of the Alabama Hills as part of the National Landscape Conservation System ("National Conservation Lands") and looks forward to working with the committee to address important concerns detailed below.

Background

The Alabama Hills in Inyo County, California, contain unique geologic features that have attracted photographers, cinematographers, and recreationists for generations. The area provides stunning views of the Sierra Nevada mountains and has spectacular natural arches, rolling hills, and vibrant wildflowers that have drawn visitors locally and from afar. Recreationists enjoy hiking, sightseeing, rock climbing, photography, camping, stargazing, mountain biking, horseback riding, hunting, fishing, rock hounding, motor touring, hot air balloon excursions, and tours of historic film locations in the Alabama Hills. The area also serves as a backdrop for iconic Hollywood movies and remains a popular location for commercial filming; the BLM's local field office issues between 20 and 40 commercial film permits in the Alabama Hills every year.

H.R. 496 is the outgrowth of a grassroots, community-based effort led by the Alabama Hills Stewardship Group, a local organization with which the BLM partners on public land stewardship and outdoor education projects in the Alabama Hills. In August 2013, the Inyo County Board of Supervisors unanimously voted to support the designation of the Alabama Hills as a National Scenic Area.

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H.R. 496 would designate approximately 18,610 acres of public land managed by the BLM in Inyo County, California, as the Alabama Hills National Scenic Area, subject to valid existing rights, to be managed as a unit of the BLM's National Conservation Lands.

The BLM's National Conservation Lands conserve, protect, and restore nationally significant landscapes that are recognized for their outstanding cultural, ecological, and scientific values. Each of the units of the National Conservation Lands designated by Congress to be managed by

the BLM is unique; however, these designations typically have critical elements in common, including: withdrawal from mineral entry under the public land, mining, and mineral leasing laws; limiting off-highway vehicles to roads and trails designated for their use; and language that charges the Secretary of the Interior with allowing only those uses that further the conservation purposes for which the unit is established. The Alabama Hills National Scenic Area as designated by the bill would share these key components and would protect the Alabama Hills' stunning scenic qualities and preserve for future generations its many recreational opportunities. The BLM supports the protection of the Alabama Hills as a unit of the National Conservation Lands.

Under the bill, the Secretary of the Interior would also take into trust approximately 132 acres of Federal land for the benefit of the Lone Pine Paiute-Shoshone Tribe, subject to valid existing rights, and would assume administrative jurisdiction of approximately 40 acres of Federal land currently managed by the Forest Service to improve management efficiency in the area.

Finally, H.R. 496 authorizes the conveyance of a portion of approximately 4 acres of Federal land to resolve an ongoing encroachment issue by an adjacent property owner. The adjacent property owner would be permitted to make an offer for this land within 120 days of the completion of an appraisal, and would be required to pay all administrative costs associated with the conveyance – including the costs of any environmental, wildlife, cultural, or historical resources studies.

Analysis

The BLM supports the incorporation of the Alabama Hills into the National Conservation Lands, taking land into trust for the benefit of the Tribe, and the conveyance to resolve the encroachment issue. We would like the opportunity to work with the sponsor and the Subcommittee on language and technical amendments related to the establishment of new utility facilities or rights-of-way, management plan consultation, the procedures and requirements for taking land into trust, commercial recreational services, and other minor technical modifications to the map and designation language. As drafted, the BLM is concerned that the bill would limit the Bureau's ability to manage utility rights-of-way consistent with the purposes of the scenic area as outlined in the bill, and we would like to work with the sponsor on language to ensure sufficient management flexibility. In addition, the BLM recommends that the bill cite Section 2002(b)(2)(e) of the Omnibus Public Land Management Act of 2009 to clarify that management of the proposed area would be consistent with similar designations within the National Conservation Lands, which we understand is what the sponsor intends. The BLM also requests that the committee give consideration to the specific name of this future unit of the National Conservation Lands. Currently, there are no other National Scenic Areas under the BLM's management. However, there are many successful National Conservation Areas and Outstanding Natural Areas.

The bill would also require the BLM to formally consult with utility companies and other private entities. The BLM highly values its government-to-government consultation relationship with tribes and respects its consultation and cooperating agency responsibilities with Federal, state, and local government entities as required by existing law and policy. Moreover, current BLM

policies already emphasize the importance of providing opportunities for input from interested or affected stakeholders into the planning process, and the BLM regularly engages with relevant Resource Advisory Councils consistent with Federal law. The inclusion of formal consultation authority for corporations, non-governmental organizations, or individuals would represent a major and, we believe, unnecessary shift in the BLM's relationships with external parties. As a result, the BLM strongly recommends striking the expanded consultation requirements from the bill. The BLM would continue to engage in collaborative efforts with local authorities and other interests, consistent with current policies and legal authorities. However, should the bill sponsor believe that an additional mechanism is needed to affirm current practice, then the BLM would recommend the establishment of a Resource Advisory Council for seeking advice and input from the Alabama Hills Stewardship Group and other stakeholders, and would support the inclusion of language in the legislation for this purpose.

Conclusion

Thank you again for the opportunity to testify on H.R. 496, the Alabama Hills National Scenic Area Establishment Act. We appreciate the sponsor's work on the protection of this incredible area and we look forward to working with the sponsor and the Subcommittee on this important legislation.