

**Statement of
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**Senate Committee on Energy & Natural Resources
Subcommittee on Public Lands, Forests, & Mining
S. 1046, Eastern Nevada Economic Development and Land Management Improvement Act
February 7, 2018**

Thank you for the opportunity to present the views of the Department of the Interior (Department) on S. 1046, the Eastern Nevada Economic Development and Land Management Improvement Act. S. 1046 authorizes funding for the development and implementation of multi-jurisdictional hazardous fuels reduction projects and wildfire prevention planning (particularly for pinyon and juniper dominated landscapes) and other habitat enhancement projects in Lincoln County, Nevada, through the Lincoln County Land Act of 2000 (LCLA) and the Lincoln County Conservation, Recreation, and Development Act of 2004 (LCCRDA). The bill also adjusts the boundaries of several wilderness areas on land managed by U.S. Forest Service (USFS) in Nevada. In addition, S. 1046 authorizes funding for the development of various public infrastructure projects and the processing of related rights-of-way applications in White Pine County, Nevada, through the White Pine County Conservation, Recreation, and Development Act of 2006 (WPCCRDA). Finally, the bill requires the completion of a conveyance of certain public lands to White Pine County.

Consistent with Secretary Zinke's priority of serving the American family and being a good neighbor on public lands, the Department strongly supports the wildfire prevention planning, fuels management, and habitat enhancement goals of S. 1046. The Department also looks forward to working with the sponsors and the Subcommittee on the continued implementation of LCLA, LCCRDA, and WPCCRDA. We would, however, like the opportunity to work with the sponsors on a few modifications to address the concerns outlined below. The Department defers to the USFS on provisions exclusively affecting their lands.

Background

The Lincoln County Land Act of 2000 (LCLA, Public Law 106-298) provides for the disposal of approximately 13,500 acres of public land in Lincoln County, Nevada, with the proceeds paid to the State of Nevada (5 percent), Lincoln County (10 percent), and a special account in the U.S. Treasury (85 percent). Under the LCLA, revenue from the special account can be expended within Lincoln County by the Secretary of the Interior on archaeological resources activities; development of a Multi-Species Habitat Conservation Plan (MSHCP) in the County; acquisition of environmentally sensitive lands; and reimbursement of costs associated with land sales preparation, processing public land use authorizations, and rights-of-way stemming from the development of the conveyed lands.

The Lincoln County Conservation, Recreation, and Development Act of 2004 (LCCRDA, Public Law 108-424) provides for the disposal of up to 90,000 acres of public land in Lincoln County,

Nevada, with the proceeds paid to the State of Nevada (5 percent), Lincoln County (10 percent), and a special account in the U.S. Treasury (85 percent). Under the LCCRDA, revenue from the special account can be expended within Lincoln County by the Secretary on archeological resources activities; reimbursement of costs associated with preparing land sales; development and implementation of the Lincoln County MSHCP; processing and implementing the Silver State Off-Highway Vehicle (OHV) Trail management plan; and costs related to enforcement of designated wilderness areas. LCCRDA also directed a number of conveyances to the State of Nevada and Lincoln County.

The White Pine County Conservation, Recreation, and Development Act of 2006 (WPCCRDA, Division C, Title III of Public Law 109-432) provides for the disposal of up to 45,000 acres of public land in White Pine County, Nevada, with the proceeds paid to the State of Nevada (5 percent), White Pine County (10 percent), and a special account in the U.S. Treasury (85 percent). Under the WPCCRDA, revenue from the special account can be expended within White Pine County by the Secretary on archeological resources activities; conducting a study of routes and developing and implementing the management plan for the Silver State OHV Trail; wilderness protection and processing wilderness designations; reimbursement of costs associated with preparing land sales and taking land into trust for the benefit of various Tribes; carrying out a study to assess non-motorized recreational opportunities; and, if the Secretary determines necessary, developing and implementing conservation plans for endangered or at risk species. WPCCRDA also directed a number of conveyances to the State of Nevada and White Pine County.

As required by law, the Secretary, acting through the BLM, has used the funds in the special accounts to acquire sensitive lands for conservation, to complete development of the Lincoln County MSHCP, and to finalize management plans for wilderness areas and the Silver State OHV trail. The BLM has also undertaken archeological inventories on over 50,000 acres with the funding. Additional land sales of 296 acres under the LCCRDA and 431 acres under the WPCCRDA have been identified for 2018, in coordination with Lincoln and White Pine Counties, respectively.

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Facilitation of Pinyon-Juniper Related Projects in Lincoln County (Section 2)

S. 1046 amends the Lincoln County Land Act of 2000 (LCLA) and the Lincoln County Conservation, Recreation, and Development Act of 2004 (LCCRDA) to allow funding from the Federal special accounts for those Acts to be used for hazardous fuels reduction projects and wildfire prevention planning (particularly in pinyon and juniper dominated landscapes) and other habitat enhancement projects. Under this section, the Secretary is authorized to establish cooperative agreements with Lincoln County for County-provided law enforcement and planning related activities for wilderness, cultural resources management, and land disposal and related land-use authorizations under the Acts, as well as for the Silver State OHV Trail designated by the LCCRDA. Finally, this section amends the land withdrawal in the LCCRDA for a utility corridor.

The Department shares the sponsors' strong interest in developing and implementing hazardous fuels reduction projects and wildfire prevention planning and other habitat enhancement projects.

In particular, the Department strongly supports the sponsors' efforts of treating rangelands that are seeing incredible rates of encroachment from pinyon and juniper trees. As part of the Secretary's priority to ensure working landscapes, the BLM's Ely District has identified treatment for more than 700,000 acres of pinyon and juniper woodlands – projects that would reduce the risk of resource damage from catastrophic wildfires and improve overall rangeland health.

The Department notes that the BLM works closely with Lincoln County on projects related to the LCLA and LCCRDA and has existing authorities to use cooperative agreements under the Federal Land Policy and Management Act (FLPMA) similar to the provisions (Section 2) in S. 1046 authorizing cooperative agreements for law enforcement and planning. As such, we would welcome the opportunity to work with the sponsors on the best way to foster greater coordination and cooperation with local governments while ensuring consistency with FLPMA. Finally, the Department supports the realignment of the utility corridor established under the LCCRDA and recommends a few technical edits to the modification language.

Wilderness Boundary Adjustments (Section 3)

The Department defers to the U.S. Forest Service on the bill's proposed adjustments to the boundaries of the Forest Service-managed Mt. Moriah, High Schells, and Arc Dome Wildernesses.

Implementation of White Pine County Conservation, Recreation, and Development Act (Section 4)

S. 1046 authorizes funding for the development of municipal water and sewer infrastructure, public electric transmission facilities, and public broadband infrastructure in White Pine County and the processing of rights-of-way applications relating to the development of any land conveyed to the County under the WPCCRDA. Finally, section 4 of the bill requires the completion of a conveyance of approximately 202 acres of public lands to White Pine County originally directed by WPCCRDA. The Department does not object to this amendment to WPCCRDA.

Conclusion

Thank you again for the opportunity to testify on S. 1046, the Eastern Nevada Economic Development and Land Management Improvement Act. We appreciate the sponsors' work on this legislation, and we look forward to working with Congress to meet the needs of Lincoln and White Pine Counties.