

**STATEMENT OF LAWRENCE A. FINFER
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BEFORE THE HOUSE RESOURCES COMMITTEE SUBCOMMITTEE
ON NATIONAL PARKS, RECREATION AND PUBLIC LANDS ON
H.R. 2818, AN ACT TO CONVEY CERTAIN PUBLIC LANDS IN THE SAND MOUNTAIN WILDERNESS
STUDY AREA, IDAHO
APRIL 16, 2002**

Thank you for the opportunity to testify today on H.R. 2818, an act to convey certain public lands in the Sand Mountain Wilderness Study Area (WSA) in the State of Idaho to resolve an occupancy encroachment dating back to 1971. The Department supports H.R. 2818 as its enactment will resolve a long-standing problem involving the Sand Mountain Resort which has impacted the Bureau of Land Management's (BLM) efforts to effectively manage the lands located within the WSA. We thank Representative Simpson for his sponsorship of H.R. 2818 and his efforts to remedy this problem.

Background

The Sand Hills Resort is situated on a 5 acre parcel located in St. Anthony, Idaho. The Resort was established in 1971 when the current owner purchased an abandoned resort facility originally constructed in 1953. The Resort is located within the current boundaries of the Sand Mountain WSA and is completely surrounded by public lands. When the WSA boundary was approved in 1981, it included 10.23 acres that contained, among other things, the Resort's existing access road. At the time, neither the BLM nor the Resort owner realized that some of the resort's buildings, utilities and facilities were located within the 10.23 acres. However, a Cadastral survey was completed in 1997, which revealed that a majority of the resort's facilities, including showers and restrooms, storage buildings, garage, improved camp sites, and most of the owner's residence are located on public land within the WSA.

As a result of this discovery, since June of 1998, the BLM has issued a land use permit to the Resort. However, the permit, which must be renewed every three years, is a temporary measure to allow for continued operation of the Resort without unduly impacting the land owner and his business. H.R. 2818 seeks to effectuate a permanent solution to this problem, thereby obviating the need for issuing and renewing the land use permit.

Bill Provisions

H.R. 2818 authorizes the Secretary of the Interior to convey the 10.23 parcel of land in question to the owner of the Resort for fair market value as determined by a qualified land appraisal. In order to facilitate the conveyance, the bill also exempts the parcel from the requirements of the Interim Management Policy for Lands Under Wilderness Review of the BLM and authorizes the Secretary to require such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

Conclusion

The owners of the Resort have had a long and positive relationship with the BLM, as do the many off-highway vehicle users that frequent the Resort and the surrounding public lands in the Sand Mountain area. H.R. 2818 would resolve the long-standing issue surrounding the Resort's encroachment on public lands, would correct an inadvertent mapping error affecting wilderness values, and would restore the integrity of the Sand Mountain Wilderness Study Area. While H.R. 2818 has the positive benefit of resolving long-term management issues, it also enhances the cooperative partnerships and relationships with the constituents that use the public lands in this area for recreation and other approved uses.

This concludes my testimony. I would be happy to answer any questions.