

**STATEMENT OF
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BUREAU OF LAND MANAGEMENT
SENATE ENERGY AND NATURAL RESOURCES COMMITTEE
SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS
S. 1139, CEMETERY CONVEYANCE BILL
S. 1497 AND H.R. 2385, VIRGIN RIVER DINOSAUR FOOTPRINT PRESERVE ACT
AND
S. 1907, CONVEYANCE TO THE CITY OF HAINES, OREGON
MAY 9, 2002**

Thank you for the opportunity to testify on section 2 of S. 1139 regarding the conveyance of a cemetery to Eureka County, Nevada, S. 1497 and H.R. 2385 to provide for the protection of dinosaur footprints in St. George, Utah and S. 1907 to convey a parcel of land to the city of Haines, Oregon. The Department of the Interior supports S. 1497, H.R. 2385, S. 1907 and section 2 of S. 1139 as it affects the Bureau of Land Management, but would like the opportunity to work with the sponsors of the bills and the Committee on minor and technical amendments.

S. 1139

S. 1139 provides for the conveyance of two cemeteries in Nevada to Lander and Eureka counties. I will confine my comments to section two of the bill and defer to the Forest Service on section one. The BLM supports section two of S. 1139 which provides for the conveyance of the "Maiden's Grave Cemetery" near Beowawe, Nevada (Bay-o-wah'-wee) to Eureka County, Nevada. Approximately 10 acres would be conveyed to the county which would maintain the area as a cemetery. In addition, the Bureau of Land Management (BLM) would be required to grant access to the cemetery across adjacent public land.

"The Maiden's Grave" is the final resting place of Lucinda Duncan who on August 15, 1863, died on her way to the gold and silver fields of Nevada. Mrs. Duncan at 71 was "the mother of the wagon train" which consisted largely of her seven surviving children, their spouses and a multitude of grandchildren. Following her death, the wagon train held a ceremony and their leaving was memorialized by a member of the party:

" . . . we paid our last debt & respect to the remains of the departed mother. There upon that wild & lonely spot, we left her, until Gabriel shall sound his trumpet in the last day. The scene was truly a sad one to leave a beloved mother on the wild and desolate plains. A board with the name of the deceased was put up at the head & boulder was laid over the grave to keep wolves from scratching in it. After this the train moved on."

Today, the site continues to receive occasional burials. Therefore, it is considered a "modern cemetery" and does not qualify for the National Register of Historic Places. The BLM, through its planning process, has identified the cemetery as suitable for disposal and the county has indicated a strong interest in taking responsibility for this parcel.

This transfer would meet the unique needs of the county and is supported by the BLM's local field managers. We appreciate this opportunity to work cooperatively with local interests to the betterment of the community.

We would like the opportunity to work with Senator Reid and the Committee to address technical issues including: modifications to the reversionary clause, clarification of timing on the transfer of the lands, specificity on the access route, and to assure that the mineral estate is conveyed along with the land.

S. 1497 and H.R. 2385

S. 1497 and the identical H.R. 2385 as passed by the House, allow the Secretary of the Interior to award a grant to the City of St. George, Utah of up to \$500,000 for the acquisition of 10 acres of private land on

which dinosaur tracks have been discovered. The grant would allow the city to purchase this land in order to preserve and protect it for the public. The Administration supported, with amendments, H.R. 2385 in July of last year.

The discovery of these tracks within the City of St. George is unique and represents a potential focus for local interpretive and preservation efforts. The State of Utah has some of the most concentrated and significant paleontological resources of any region of the country.

The Administration stands ready to assist in the implementation of this project to protect these rare resources in partnership with local community partners in St. George. We recognize the significance and importance of these dinosaur tracks to the community and the residents of Washington County. We applaud their efforts to secure these tracks and protect them from further disturbance and deterioration so that they might be shared with the public.

The BLM would like the opportunity to work with Senator Hatch and the Committee to resolve a few specific issues including map revisions and other minor matters.

Section c(2)(A) of S. 1497 provides for additional financial assistance grants to the City to protect and manage the dinosaur tracks site. We recommend the consideration of several alternatives for financial assistance so as not to impede existing programs and their funding levels in the BLM's St. George area, while still providing for appropriate management of the dinosaur tracks site. For example, the establishment of a non-profit foundation, perhaps involving the State of Utah, Washington County, and the City of St. George to leverage and partner resources is an option. In addition, other forms of assistance through private and public grants, including the Secretary's new Cooperative Conservation Initiative (CCI), may provide numerous resources for providing for the long term operations, maintenance, and educational interpretation of the site.

S. 1907

S. 1907 directs the Secretary of the Interior to convey, without payment, to the City of Haines, Oregon a 40 acre parcel of land adjacent to the Haines, Oregon landfill. The intent of the legislation is to provide Haines with a source of topsoil as cover material for the landfill and allow for its closure, the BLM supports the bill.

This 40 acre parcel of BLM land has been identified for disposal by the BLM in the June 1998 Northeast Oregon Assembled Land Exchange final environmental impact statement. The 40 acre site is immediately adjacent to the Haines landfill and is largely isolated. Under current law, the BLM would be required to charge full market value, and therefore the legislation is needed. The BLM believes that this is a worthwhile proposal which allows the BLM to be a good neighbor.

In order to make this conveyance as smooth as possible, we would like the opportunity to work with Senators Smith and Wyden and the Committee on a technical amendment to address speedy transfer of the lands. In addition, in order to avoid any confusion over the exact parcel of land to be transferred, we request that the legislation be modified at markup to reference a new map created to specifically address this transfer. We believe that this will reduce confusion and assure proper transfer of the intended parcel to the City of Haines, Oregon.

Conclusion

Thank you for the opportunity to testify on these three bills. I am happy to answer any questions the members of the Committee may have.