

**Statement of
Chad Calvert
Deputy Assistant Secretary for
Land and Minerals Management
United States Department of the Interior
Before the
House Resources Committee
Subcommittee on Forests and Forest Health
H.R. 679, Beaver County, Utah Conveyance
September 27, 2005**

Thank you for the opportunity to testify on H.R. 679. This bill proposes to convey approximately 200 acres surrounding the Minersville Reservoir to Beaver County, Utah. The Administration supports the conveyance.

In 1963, the BLM first granted a patent to Beaver County, Utah, for the lands that are now part of Minersville State Park pursuant to the Recreation & Public Purposes Act (R&PP) (43 U.S.C. 869 et seq.). In 1964, title was transferred to the State of Utah Division of Parks and Recreation. Over the years the State made substantial investments in the park facilities including campgrounds, restrooms, and an entrance station. In 2002, the State of Utah moved to transfer title to Beaver County as part of cost cutting efforts. However, because the State did not have authority under the R&PP Act to transfer title, such an action was not possible. Beaver County has indicated that it will not accept a transfer of the lands because of the restrictions associated with the R&PP Act. Specifically, the reversionary clause prevents the re-sale of lands transferred under the R&PP Act.

Beaver County, however, is willing to take over the park if it has an opportunity to create a funding source. The County proposes to sell some of the undeveloped lands within the park for cabin sites and use the revenue generated from the sales to operate and maintain the park for the benefit of the people of Beaver County and visitors. Under the provisions of the R&PP Act such sales would result in a reversion to the BLM. The BLM does not object to this proposal because this type of small, local park is most appropriately operated and maintained by a local government.

The bill proposes to transfer all right, title and interest of the United States for the approximately 200 acres to Beaver County. Beaver County would then be authorized by the legislation to sell, at fair market value, portions of that property. The legislation further directs that those proceeds may be used only for the maintenance and further development of the public recreation facilities on the site.

Normally we would require payment of fair market value for any interest in lands conveyed without the requirement that they be used for a public purpose. However, we recognize the unique circumstances here, including the historical use of the area as a park, and support this proposal as a creative solution to a difficult problem.

In testimony given on this legislation (S. 2285) before the 108th Congress, we recommended the elimination of the mandatory reversionary clause in the bill, which provided for the reversion of the site to the United States if the provisions of the Act are not complied with, and the elimination of a subsequent requirement that Beaver County repay to the United States any payments received from sales of land. We sought to avert a situation where the BLM would be responsible for managing a small local park, or abandoning its use as a park, either of which we are ill-prepared to do. We believed the bill's requirement limiting the use of the sale proceeds specifically for the operation and maintenance of the park, were adequate to protect the interests of the Federal government. Those issues have been satisfactorily addressed in the bill being heard today.