

**Testimony of
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Bureau of Land Management
Department of the Interior
Senate Committee on Energy and Natural Resources
Subcommittee on Public Lands and Forests
S. 1473, Mesquite Land Conveyances Act of 2011
March 22, 2012**

Thank you for the opportunity to present the views of the Department of the Interior on S. 1473, which amends the Mesquite Lands Act of 1986 in order to renew the exclusive right of the City of Mesquite, Nevada, to purchase certain public lands for development, and allows for proceeds from land sales to be used to implement a habitat conservation plan for the Virgin River and any associated groundwater monitoring plan. The Department of the Interior supports the goals of the bill, however, we believe we can achieve the purposes of the bill administratively, such as through sales under the Federal Land Policy Management Act (FLPMA) or the issuance of an airport lease.

Background

The Mesquite Lands Act of 1986 (PL 99-548) as amended by PL 104-208, PL 106-113 and PL 107-282, has provided the City of Mesquite, a community located in eastern Clark County, Nevada, between Las Vegas and St. George, Utah, the exclusive right to purchase lands to its west for a replacement airport and related development. To date, the city has acquired approximately 7,700 acres of public lands from the BLM. These authorities expired on November 29, 2011.

In addition to identifying lands for sale, the Mesquite Lands Act, as amended, provides that a portion of the proceeds from the sale of certain parcels be deposited in an account established under the Southern Nevada Public Land Management Act of 1998 (SNPLMA). It also provides that these funds would be available to pay for, among other things, the BLM's costs to convey land to the City of Mesquite and the development of a multispecies habitat conservation plan for the Virgin River, also in Clark County. The U.S. Fish and Wildlife Service, in cooperation with the BLM, has begun work on the plans for the Virgin River. These authorities also expired on November 29, 2011.

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S. 1473 renews until November 29, 2021, the City of Mesquite's exclusive right to purchase parcels of public lands identified in the PL 106-113 amendment to the Mesquite Lands Act, which are near lands already acquired by the City. It also allows for the proceeds from previous land sales to Mesquite to be used to implement a multispecies habitat conservation plan for the Virgin River in Clark County and any associated groundwater monitoring plan. It also extends the withdrawal of the lands from all forms of location, entry and appropriation under the public land laws, including mining laws, and from operation of mineral leasing and geothermal leasing laws, subject to valid existing rights.

The BLM supports the bill and its goal of providing for the economic development needs of Mesquite, Nevada. Some of the lands that may be acquired through enactment of the bill have been identified for a proposed replacement airport and related development. The legislation will provide additional time for the Federal Aviation Administration (FAA) to complete an environmental evaluation under the National Environmental Policy Act for the replacement airport and to identify mitigation measures, if necessary. The BLM is working with the FAA and the Nevada State Historic Preservation Office to develop appropriate measures to mitigate potential impacts to the Old Spanish National Historic Trail as a result of the proposed replacement airport. The additional time provided by this legislation will aid this effort.

Conclusion

That concludes our prepared testimony in support of S. 1473. We would be glad to answer your questions.