

**Statement of  
Mike Pool  
Deputy Director  
Bureau of Land Management  
Department of the Interior  
Senate Energy & Natural Resources Committee  
Subcommittee on Public Lands and Forests  
S. 270 La Pine Land Conveyance Act  
May 18, 2011**

Thank you for the opportunity to testify on S. 270, the La Pine Land Conveyance Act. The bill proposes to convey to the city of La Pine and Deschutes County, Oregon, three parcels (consisting of 150 acres, 750 acres, and 10 acres). The BLM does not object to the conveyances in S. 270. We note that these conveyances are consistent with our existing authority under the Recreation and Public Purposes (R&PP) Act, so they could be accomplished administratively. We appreciate the improvements made to this legislation since last Congress, and would like the opportunity to continue to work with Senator Wyden and the Committee on S. 270.

**Background**

La Pine is a rural community located in southern Deschutes County, Oregon. The BLM and the City of La Pine have a long history of working together and have completed several Recreation and Public Purposes (R&PP) Act conveyances, including the sites of the La Pine library and fire station. Since La Pine is surrounded by BLM-administered lands, community leaders have held ongoing discussions with the BLM concerning the city's need for additional land to serve other public purposes.

The R&PP Act authorizes the Secretary of the Interior to lease or convey public lands for recreational and public purposes, such as campgrounds, municipal buildings, hospitals, and other facilities benefitting the public. The La Pine Special Sewer District submitted an R&PP application to BLM's Prineville District Office in 2007, and an amended application in January 2009, for 750 acres of BLM-administered lands on the eastern edge of the La Pine city limits. The District has informed BLM that its intention is to use the lands to expand their current wastewater treatment facilities. The parcel is largely vacant, but does contain rights-of-way for a natural gas pipeline, transmission line, and roads. This parcel of land is shown as "Parcel B" on the map prepared at the request of Senator Wyden, dated December 11, 2009. "Parcel C" on the map is currently leased under R&PP through 2020 and consists of a library, parking lot and picnic area.

Additionally, the City of La Pine has expressed an interest in developing a public rodeo grounds and equestrian center on a 150-acre parcel of BLM-administered lands adjacent to the southwest border of the city. This parcel is also largely vacant, but contains rights-of-way for a road and transmission lines. It also provides important habitat and a travel corridor for elk. This parcel of land is shown as "Parcel A" on the map prepared at the request of Senator Wyden, dated December 11, 2009.

## **S. 270**

S. 270 proposes to convey, at no cost, to the city of La Pine and Deschutes County, Oregon, all right, title and interest of the United States to the three parcels (consisting of 150 acres, 750 acres, and 10 acres), detailed on the map prepared at the request of Senator Wyden, dated December 11, 2009. These conveyances would be subject to valid existing rights and are intended to address the city's and county's stated need for additional land to accommodate the expansion of its wastewater treatment facilities and provide land for a public library, rodeo grounds and equestrian center.

The bill requires that the three parcels of land be used only for purposes consistent with the R&PP Act and includes a reversionary clause to enforce that requirement. Finally, the bill requires the County to pay all administrative costs associated with the transfer.

As a matter of policy, the BLM supports working with local governments to resolve land tenure issues that advance worthwhile public policy objectives. In general, the BLM supports the proposed conveyances, as they are consistent with the existing R&PP authority. We would like to work with Senator Wyden and the Committee to further address concerns related to Parcel A, which serves as an important travel corridor and shelter area for elk along the Little Deschutes River, either through additional boundary modifications or through identification of alternative sites. To avoid constitutional concerns, the Department of Justice recommends that the bill be revised to make absolutely clear that the city or county would have to agree to the proposed conveyance, which is what we understand Congress intends. This change might be accomplished by adding "and subject to the city's or county's agreement" after "without reimbursement" in section 3(a) of the bill.

## **Conclusion**

Thank you for the opportunity to testify. We look forward to working with Senator Wyden and the Committee to address the needs of La Pine, Oregon.