

**Statement of
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**Senate Committee on Energy & Natural Resources
Subcommittee on Public Lands, Forests, & Mining
S. 1222, La Paz County Land Conveyance Act
February 7, 2018**

Thank you for inviting the Department of the Interior (Department) to testify on S. 1222, the La Paz County Land Conveyance Act. The bill proposes to convey to La Paz County, Arizona, approximately 8,000 acres of public lands managed by the Bureau of Land Management (BLM). Secretary Zinke, through Secretarial Order 3347, has pledged to expand access to America's public lands and increase hunting, fishing, and recreational opportunities nationwide. In addition, the Secretary is focused on restoring full collaboration and coordination with local communities, working with partners to promote multiple use on public lands, and making the Department a better neighbor. While the Department supports the goals of S. 1222 that align with these important priorities, we have concerns with the legislation as drafted.

Background

La Paz County, located in western Arizona, is home to over 20,000 people and holds important recreational value because of its close proximity to the Colorado River; the Cibola, Bill Williams River, and Imperial National Wildlife Refuges; and a number of cultural and historic sites, including old mines and ghost towns.

The BLM regularly leases and conveys lands to local governments and nonprofit entities for a variety of public purposes. These leases and conveyances are typically accomplished under the provisions of the Recreation and Public Purposes Act (R&PP Act) or through direction supplied by specific Acts of Congress. Such direction allows the BLM to help States, local communities, and nonprofit organizations obtain lands at nominal cost for important public purposes. The Department generally supports appropriate legislative conveyances at nominal cost if the lands are to be used for purposes consistent with the R&PP Act, and if the conveyances have reversionary clauses to enforce this requirement.

It should be noted that Secretary Zinke is opposed to the wide-scale sale or transfer of Federal lands. That said, Secretary Zinke is interested in working with Congress on proposals that have the specific goal of preserving access and recreational opportunities for future generations while supporting local community needs.

S. 1222

S. 1222 directs the Secretary of the Interior to convey approximately 8,000 acres managed by the BLM to La Paz County for uses consistent with the R&PP Act and subject to valid existing rights. The bill also contains a reversionary clause that provides for the land to revert to the United States, at the discretion of the Secretary, if it ceases to be used for recreation and public

purposes. While the County would receive the land itself at no cost, the County would pay any administrative costs associated with the conveyance (e.g., cultural and cadastral surveys).

The County would also have the option under S. 1222 to acquire the Federal reversionary interest in these lands at fair market value, as determined by an appraisal. The bill further states that the County would be responsible for the costs associated with this appraisal and includes language releasing the United States from liability for any hazardous materials that may be present on the public lands before the date of conveyance.

As a matter of policy, the Department supports working with local governments to resolve land tenure issues that advance worthwhile public policy objectives. In general, the Department supports the proposed conveyance, if it is consistent with the existing R&PP authority. We are concerned, however, that the total acreage proposed for conveyance is significantly larger than what is normally authorized for public purposes under the R&PP Act, and we are concerned that this legislation, as currently drafted, would ultimately mandate conveyances that effectively authorize non-R&PP use. Our understanding is also that La Paz County ultimately intends to use the site for solar energy development, which would be inconsistent with the R&PP Act. We would like to work with the sponsor on amendments to the bill that more closely tailors it to the needs of La Paz County while ensuring that unnecessary acreage remains available for multiple uses.

The Department is also committed to continuing its adherence to the Uniform Appraisal Standards for Federal Land Acquisition and Uniform Standards of Professional Appraisal Practice, and appreciates the sponsor's including these provisions in the bill. We recommend the bill be modified to clarify that the appraisal process will be managed by DOI's Office of Valuation Services. The Office of Valuation Services provides credible, timely, and efficient valuation services to ensure public trust in Federal real property transactions.

Finally, we note that the lands proposed for conveyance have not been identified as potentially suitable for disposal in the Yuma Resource Management Plan, which the BLM completed in 2010.

Conclusion

Thank you for the opportunity to present the Department's views on S. 1222. We look forward to working with the sponsor and the Committee on modifications to the bill that will meet the needs of La Paz County and benefit the American people.