

**Statement of  
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**Senate Energy and Natural Resources Committee  
Subcommittee on Public Lands, Forests and Mining  
S. 1411, Lander County Land Management and Conservation Act**

**October 19, 2021**

Thank you for the opportunity to testify on S. 1411, the Lander County Land Management and Conservation Act. The bill conveys approximately 21,000 acres of Federal lands to Lander County, Nevada, designates over 14,000 acres of wilderness, and releases approximately 12,000 acres from Wilderness Study Area (WSA) status.

On January 27, 2021, President Biden signed Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*, which launched a government-wide effort to confront climate change and restore balance on public lands and waters. The President's directive recognizes the opportunities America's lands and waters offer and outlines a historic and ambitious challenge to the nation to conserve at least 30 percent of our lands and waters by 2030. The President's America the Beautiful initiative specifically emphasizes the value of conserving the nation's natural resources, recognizing multiple uses of our lands and waters, including its working lands, can be consistent with the long-term health and sustainability of natural systems.

The Department supports the conservation goals of S. 1411 that align with these important Administration priorities. We would also welcome the opportunity to work with the sponsors and the Subcommittee on modifications to the bill, including certain changes to the bill's conveyance provisions, and creating new legislative maps for the proposal. The Department defers to the Department of Agriculture regarding provisions in the bill concerning the lands and interests administered by the U.S Forest Service (USFS).

**Background**

Lander County, located in northern Nevada, is home to approximately 5,800 people. The Bureau of Land Management (BLM) manages over 2.6 million acres of public lands within Lander County for a wide range of multiple uses. These include various recreational activities, such as hiking, camping, horseback riding, and off-highway vehicle riding; renewable energy projects; rights-of-ways for utilities; and mineral development. The county includes BLM recreation and conservation areas – such as the Mill Creek Campground, Hickison Petroglyph Recreation Area, and the Shoshone OHV Trail system – and significant historic, cultural, and paleontological treasures. The County is also home to Ormat's McGinness Hills Geothermal Plant, which is the top producing geothermal plant on public lands.

***Public Land Sales***

Under the 1976 Federal Land Policy and Management Act (FLPMA), the BLM's mission is to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations. Under FLPMA, the BLM retains management of most public lands; however, Section 203 of FLPMA also authorizes the sale of certain public lands when the sales are in the public interest and consistent with publicly approved land use plans. Land sales conducted under FLPMA occur at the discretion of the Secretary and are made at fair market value in accordance with Federal law.

### ***Public Purpose Land Conveyances***

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 (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. As a matter of policy, the BLM generally supports these legislative conveyances at nominal cost if the lands are appropriate for disposal, will be used for public purposes consistent with the R&PP Act, and if the conveyances include reversionary clauses to enforce this requirement.

## **S. 1411**

### ***Public Land Conveyances (Title I)***

Title I of S. 1411 directs the Secretary to make several conveyances of BLM-managed lands to Lander County, Nevada, upon request. These conveyances are to be used for public purposes and include a reversionary clause requiring the lands to be used for their intended public purposes or they will revert to the Department. The conveyances are for use by the county for watershed protection, recreation, parks, and to improve the Kingston airport and related infrastructure. Under the bill, these conveyances to the county also include the mineral rights, subject to valid and existing rights.

The BLM would like to work with the sponsors on language ensuring consistency with the R&PP Act. We would also like to work with the sponsors on several technical modifications or boundary adjustments to the bill, as some of the lands identified to be conveyed to the county may have title or mineral conflicts that could prevent them from being used for their intended purposes. The BLM notes that under public purpose conveyances, which occur at little or no cost, the mineral rights are not usually included, and we recommend the bill be modified accordingly. The BLM would also like to work with the sponsors to ensure cultural and historic resources are preserved on lands identified for conveyance. Finally, the BLM notes that the lands underlying the Kingston Airport are already patented to the county and the BLM has the ability to administratively convey any additional land to the county if an expansion is needed.

### ***Wilderness (Title II)***

Title II of S. 1411 designates approximately 14,000 acres of new wilderness on BLM-managed lands. This title would create the Cain Mountain Wilderness and the Desatoya Mountains Wilderness in western Lander County, Nevada. Title II also releases approximately 12,000 acres from WSA status, allowing these lands to be managed according to the existing land use plans of the area. This title also allows for the continuation of any existing livestock grazing that occurred

prior to designation within the boundaries of the new wilderness areas. Finally, Title II would allow for the Secretary to authorize the installation and maintenance of hydrologic, meteorologic, or climatological data collection devices if the Secretary determines that these facilities are essential to flood warning, flood control, or water reservoir operations.

The Department supports these wilderness designations as the lands generally serve as habitat for a diversity of plant and animal life and provide important opportunities for hiking, hunting, rock climbing, camping, horsepacking, and other forms of outdoor recreation in the Nevada desert. The Department would like to work with the sponsors on minor technical amendments to this section to allow for enhanced manageability.

**Conclusion**

Thank you for the opportunity to present testimony on S. 1411. The Department supports the conservation efforts of the bill, which align with the Administration's priorities, and we look forward to working with the sponsors and the Committee on the bill as it moves forward.