

Introductory Statement for the White Pine County Conservation, Recreation and Development Act of 2006

MR. REID. Mr. President, today I rise with my good friend Senator Ensign to introduce the White Pine County Conservation, Recreation and Development Act of 2006. This bill creates economic opportunity for the people of White Pine County, improves public land management, and protects some of Nevada's most incredible wild lands. It also makes needed changes to the Southern Nevada Public Land Management Act.

The White Pine County Conservation, Recreation and Development Act is the product of many years of work. Ranchers, land managers, conservationists, off-highway vehicle advocates, tribal members, city and county officials, wilderness advocates and many others have contributed to this effort. Meetings and tours focused on a White Pine County land bill have been taking place for more than 5 years.

The result of these many years of dialogue can be found in the sturdy compromise contained in this legislation. Our bill resolves wilderness study areas, provides a reasonable expansion of local tribal lands, authorizes a study and possible designation of an off-highway vehicle trail, provides for competitive federal land sales, makes common sense transfers of land between federal agencies, expands state parks, conveys two small tracts of land to the county for economic development, funds an important landscape scale restoration project in eastern Nevada, and establishes a National Heritage Route in eastern Nevada and western Utah.

Like similar legislation that we have worked on and passed for Clark County and Lincoln County, we do not expect anyone to endorse every title in this bill. When it comes to the topics of growth, conservation and stewardship in rural Nevada there are many strong and often opposing views. We believe that this legislation offers a solid middle ground and a path forward for the people of White Pine County.

In order to understand why this legislation is necessary, it is important to first put Nevada and White Pine County in context. Unlike most states in our union, nearly nine out of every ten acres in Nevada are managed by federal agencies. In White Pine County the number is even higher. Of the 5.7 million acres that make up White Pine County, 94 percent are managed by the Bureau of Land Management (BLM), the Forest Service, the National Park Service and the Fish and Wildlife Service federal agencies.

This means that local decisions are not always local. Even the simplest land and stewardship decisions can involve multiple federal land agencies, and the associated rules that come along with each agency. All too frequently, congressional action is needed to bridge the divide. This is a reality in many parts of the west, but in no place is it more true than in Nevada.

Moving beyond the borders of White Pine County, our legislation also makes essential changes to the Southern Nevada Public Land Management Act that was first passed in

1998. This law has served Nevada well over the last 8 years, yet changes are needed to ensure that the legislation is able to meet the many and complex needs of our fast growing state. I will briefly describe each of these amendments, in addition to the other major titles of this legislation.

But before moving on to the specifics of each section of this bill, let me thank my colleagues for their willingness to work with us on this legislation. Senator Ensign and I have crafted this bill through a hands-on, ground level process that we think you will appreciate and support. Throughout this effort we have aspired to make well-reasoned, beneficial and necessary changes to land management in Nevada.

Title I – Land Sales

The first title in this bill creates a mechanism to increase the amount of privately held land in White Pine County. Currently, ninety four percent of the land in the county is managed by federal agencies. By increasing the total amount of private land in White Pine County, we create essential opportunities for growth and economic development that will also allow the county to provide greater support to its residents through an expanded tax base.

Our bill calls for up to 45,000 acres of land currently managed by the BLM to be made available for sale in reasonable increments. Each year a portion of the total acreage will be made available for public auction after a joint selection is made by the county and the BLM. This system has worked well in Clark County and Lincoln County, and we believe that it will greatly enhance the ability of White Pine County to help plan and shape the long-term growth of its many communities. As part of the land sale authority, the county may elect to halt the annual disposal of land when and if appropriate.

Like the Southern Nevada Public Land Management Act and the Lincoln County Conservation, Recreation and Development Act, this bill directs the Secretary of Interior to reinvest the proceeds from these land sales into essential federal, state, and local environmental protection, infrastructure development, and recreational enhancements in the areas and communities where the lands are sold.

These funds also provide an additional revenue source for fulfilling the various mandates of this bill, including an off-highway vehicle trail study, designation of new wilderness areas, and the conveyance of lands into trust for tribal use.

Title II – Wilderness Designation

In 1985 when I visited White Pine County to discuss possible wilderness designations in the Schell Creek and Currant Ranges and the north and south ends of the Snake Range, I heard from many local residents who opposed any effort to designate wilderness. Now in 2006, when I hear from the citizens of White Pine County they are most often strongly supportive of wilderness designation, particularly in the areas that they and their families have visited and cherished for generations.

I believe that much of this change can be attributed to the successful management of the Mt. Moriah and Currant Mountain wilderness areas, designated in 1989, where we were able to protect truly wild lands while still allowing hunting, grazing and other historical uses to continue. Equally important, many White Pine County residents have noted that as new waves of people discover the incredible backcountry of the Great Basin, the identification and protection of lands that are untouched by permanent development has become a priority.

Accordingly, in this bill we have identified roughly 545,000 acres for wilderness designation and the release of 67,000 acres of BLM wilderness study areas. We have benefited greatly from the careful suggestions of the White Pine County Commission, the Nevada Department of Wildlife, the Nevada Wilderness Project, hunters, ranchers, miners, Friends of Nevada Wilderness, and other White Pine County residents during this process.

We have worked to make careful decisions on the wilderness boundaries in this bill. Based on feedback from grazers and other users of the Mt. Moriah wilderness area, a number of boundary adjustments have been included to remove small pipelines and other encumbrances from the original wilderness area designated in 1989. We have also made careful choices like along the north end of Red Mountain where the wilderness boundary follows the banks of the White River so that a number of primitive campsites between the stream and a nearby road are excluded from the wilderness area.

While this proposal will surely be criticized as too conservative, others will see it as too expansive. Senator Ensign and I have both made important compromises to reach the proposal that we are presenting today and we stand by the middle ground that we have reached. We are committed to continue listening to all parties and taking into account their many and divergent needs.

Title III – Transfers of Administrative Jurisdiction

The third title of this bill makes two important transfers of land between federal agencies that will improve public land management in White Pine County. The first of these changes is a transfer of approximately 645 acres from the BLM to the Fish and Wildlife Service (FWS) to be managed as part of the Ruby Lake National Wildlife Refuge. This land became an inholding within the boundaries of the Refuge after the Fish and Wildlife Service purchased the lands surrounding the BLM parcel in 2002. Management of this area by the Ruby Lake National Wildlife Refuge will improve oversight on the land and strengthen the holdings of this popular refuge.

Our legislation also transfers administrative jurisdiction of roughly 117,000 acres from the Forest Service to the BLM. These lands can be easily identified on a map as the donut shaped configuration of Forest Service land currently surrounding Great Basin National Park. Under the present arrangement, the Park Service, the Forest Service and the BLM manage an awkward patchwork of lands. In some areas, land managed by each

of the three agencies can be found within a single linear mile. This division of management and labor makes proper stewardship of this area complicated and often times unworkable.

In addition to moving the identified lands to the BLM to improve management efficiency, we also withdraw roughly 50,000 acres of this land from mineral and land laws and require a management plan for the roads and trails through the area. These added protections will not only compliment Great Basin National Park and its mission, but will also ensure that popular hunting areas remain open and accessible. The additional 70,000 acres transferred to the BLM will be designated as the Highland Ridge Wilderness Area.

Title IV – Public Conveyances

This title conveys land to expand two existing state parks and one state wildlife management area. The Charcoal Ovens State Park will receive approximately 650 acres of BLM land to expand its current holdings. The land to be conveyed is already managed by the state through a Recreation and Public Purposes lease for the operation of a camping area and trail system. Cave Lake State Park will also receive a conveyance of land to help improve management of that site, although the exact boundaries of this designation have not yet been finalized. This park is exceptionally popular, receiving nearly 100,000 visitors each year, most of which are from southern Nevada.

In addition to expanding these two state parks, this bill conveys roughly 6,200 acres to the state of Nevada for an expansion of the Steptoe Valley Wildlife Management Area. The state acquired the 3C Ranch in 1999 and now manages it as the Steptoe Valley Wildlife Management Area. The conveyance of BLM land to this popular hunting and bird watching area will maximize management options while also creating a safety buffer between hunters and future residential and commercial development.

Further, our legislation makes two small but important conveyances to provide for the future economic growth of White Pine County. These include up to 200 acres for the expansion of the White Pine County Industrial Park and up to 1500 acres for the planned expansion of the White Pine County Airport. The County has been working with the Federal Aviation Administration on this airport expansion for a number of years. When completed, it will allow larger jets to land at the airport, further expanding the economic reach of White Pine County. The conveyance also allows for the airport to expand and accommodate additional business tenants. Any funds collected from the lease, sale or conveyance of either the industrial park or airport lands will be directed for public uses.

Title V – Silver State Off-Highway Vehicle Trail

Building on the designation of the Silver State Off-Highway Vehicle Trail in Lincoln County, this bill authorizes a three-year study for a possible extension of the trail into and through White Pine County. If the Secretary of Interior, working with local citizens and other stakeholders, is able to identify a route for the trail that would not significantly

impact wildlife, natural or cultural resources, an extension of the Silver State Trail will be designated at the conclusion of the study.

Off-highway vehicle use in Nevada has grown exponentially in recent years, and this rise in use has led to the pioneering of hundreds of miles of additional trails and roads across Nevada's frontier. The longer this uncontrolled use continues, the fewer areas we'll have in Nevada that are truly wild and untouched. And when these places are gone, we will have lost something that cannot be replaced.

With this in mind, the study authorized by this bill is an effort to recognize that the use of off-highway vehicles is a popular form of recreation that is here to stay. Many people use their off-highway vehicles responsibly and we are creating a process with this legislation that will put advocates for off-highway vehicles, wildlife, grazing and other land users around the same table.

Title VI – Transfer of Land into Trust for the Ely Shoshone Tribe

Perhaps no issue addressed by this legislation has been more discussed and debated than the conveyance of BLM land to be held in trust by the United States for the Ely Shoshone Tribe. Currently, the tribe holds 100 acres in two separate parcels within the city limits of Ely. For three years meetings have been taking place in White Pine County to discuss possible configurations and areas for a tribal expansion. Local residents and interested parties have expressed strong feelings on all sides of this issue, and our proposal is better as a result of this dialogue.

This bill transfers roughly 3500 acres in four separate parcels into trust for the benefit of the Ely Shoshone Tribe. Over half of this acreage is contained in one parcel to the west of Ward Mountain. This large area is designated exclusively for traditional tribal uses, such as ceremonial celebrations and gatherings and pine nut picking.

The conveyance also includes two parcels to the south of Ely and one approximately ten miles north of McGill on Highway 93. These lands are available to be used by the Tribe for residential and commercial purposes.

The placement of these conveyances will allow the Tribe to be a partner in the growth and economic development of White Pine County while also ensuring that the City of Ely has sufficient room to grow south along Highway 93. We have taken special care to ensure that existing developments, like the KOA, have room to expand.

This conveyance represents a tough compromise between many important interests. Some have proposed that the Tribe should receive in excess of 20,000 acres of land in and around Ely. Others have fought to block the tribe from receiving a single acre. We do not expect that the conveyance in this bill will please anyone completely, but we do believe it is a fair compromise that addresses the main concerns of all the concerned parties.

Title VII – Eastern Nevada Landscape Restoration Project

The invasion of non-native species like cheat grass and red brome and the overgrowth of pinon and juniper woodlands has begun to fundamentally alter the ecosystems in eastern Nevada. This landscape level change threatens to bring catastrophic fire to this area while also destroying essential habitat for many of Nevada's native species.

In order to address these challenges, this legislation makes funds from the Southern Nevada Public Land Management Act Special Account available for the implementation of the Eastern Nevada Landscape Restoration Project in White Pine and Lincoln Counties. In addition to funding this vital program, we have authorized the Secretaries of the Interior and Agriculture to work with Eastern Nevada Landscape Coalition and the Great Basin Institute in carrying out the landscape-scale restoration efforts necessary to restore the health of eastern Nevada's rangelands. In the interest of understanding and fully addressing the ecosystem changes that are taking place all across the Great Basin, this bill also authorizes a feasibility study for an interagency research facility and experimental rangeland in eastern Nevada.

In addition to preventing major and repeated fires, this restoration initiative will benefit ranchers, sportsmen, private land owners, communities of all sizes, and of course the wildlife and rangelands on which we depend. It is my sincere hope that this program will make a long lasting and beneficial change in the health of the ecosystems in eastern Nevada.

Title VIII – Amendments to the Southern Nevada Public Land Management Act

Since the passage of the Southern Nevada Public Land Management Act (SNPLMA) in 1998, thousands of acres of BLM land have been auctioned in southern Nevada. These sales have produced significant funding for conservation efforts, enhancements to our most prized public lands, and the acquisition of sensitive lands throughout our state.

Now, eight years after its passage, we are seeking to update the legislation so that it continues to serve the full interests of the people of Nevada, our public lands, and the federal agencies that administer the programs funded by the original legislation.

In this bill we provide funding for two separate ten-year hazardous fuels reduction programs, one for the Spring Mountains and one for the Lake Tahoe Basin including the adjacent lands in the Carson Range in Washoe and Douglas Counties and Carson City. We also provide funding for the implementation of the Clark County Multispecies Habitat Conservation Plan, allow SNPLMA to be used for improvements to state parks in Clark County, authorize reimbursement for water saving landscaping undertaken by public institutions, and make the Clean Water Coalition eligible for funding to implement an essential wastewater project that will improve the water quality in Lake Mead and provide a sustainable future for the Las Vegas Wash.

In order to make SNPLMA more manageable for the agencies and municipalities that administer the special account and its many programs, we have included authority that allows all federal agencies that carry out SNPLMA projects to get reimbursed for their direct costs. We have also provided an important authority for the BLM to use SNPLMA funds to properly clear and protect vacant parcels in the Las Vegas Valley from dumping. The current practice of providing funding for approved projects only through reimbursement is also brought to an end. Under this legislation the Department of Interior is required to distribute funds for approved SNPLMA projects no later than 60 days after a transfer of funds is requested.

Of special note, these amendments also include a five-year authorization for Washoe County to acquire up to 250 acres of land for a county park. The residents of Washoe County have been and remain strong advocates for open space and we hope that they will take advantage of this opportunity.

Perhaps the most important change that we make to SNPLMA is a complete rewrite of the legislation's affordable housing title. While language was included in the original legislation that allows for land to be acquired at less than fair market value for the development of affordable housing, it took the BLM over 4 years to promulgate the guidelines for implementing this provision. Since that time no eligible party has successfully used these guidelines to secure land and build affordable housing anywhere in Nevada.

With an estimated 170,000 housing units needed in southern Nevada for affordable and workforce housing in the next ten years, immediate action is needed. As a result, we have struck the largely unworkable language from the original legislation. We have replaced it with an authority allowing all legitimate interested parties to work with the BLM to pursue land for the development of affordable and workforce housing. We also take a further step and require that any parcel of federal land over 200 acres in size that is auctioned in the Las Vegas Valley must include at least five percent affordable and workforce housing.

These new affordable and workforce housing provisions are by no means a complete answer to the housing crisis facing southern Nevada, but they are a step in the right direction. I applaud the work that has been done at the local and state levels to address this issue and I am committed to continuing to work on broad based solutions to ensure that we can meet the affordable housing needs in all of Nevada's communities.

Title IX – The Great Basin Heritage Route

The last title of this bill establishes the Great Basin National Heritage Route. Encompassing Millard County, Utah; the Duckwater Indian Reservation in Nevada; and White Pine County, Nevada, this historic area includes historic mining camps and ghost towns, Mormon and other pioneer settlements, as well as Native American communities. The Route passes through classic Great Basin country along the trails of the Pony Express and the Overland Stage. Cultural resources within the route include highly

valued and culturally important Native American archaeological sites dating back to the Fremont Culture.

Designation of the corridor as a Heritage Route will ensure long-term protection of key educational and recreational opportunities while also bringing attention to the Great Basin's rich natural wonders like the bristlecone pine, the old living things on earth, and the rare Bonneville cutthroat trout. In short, the Great Basin National Heritage Route will provide a framework for celebrating eastern Nevada's and western Utah's rich historic, archaeological, cultural, and natural resources for both visitors and residents.

I have been proud to support the designation of the Great Basin Heritage Route for many years and have helped pass legislation through both the Senate and the House calling for establishment of the route. Unfortunately, in each instance the legislation was included in a larger package of bills that failed to reach the President for signature. Having received the approval of both bodies of Congress for this measure, it is my hope that we can finally make this Route a reality as part of this comprehensive legislative package for White Pine County.

Mr. President, the White Pine County Conservation, Recreation and Development Act of 2006 is an ambitious, timely and complex piece of legislation. By making long-term and forward looking improvements to public land management and the stewardship of our shared natural resources, we believe we have crafted a bill that will serve the best interests of the people of White Pine County, eastern Nevada and the our entire state.

I look forward to working with the Chairman and Ranking Member of the Senate Energy and Natural Resources Committee to ensure timely review and passage of this bill. Thank you, Mr. President, I yield the floor.