

Testimony of James D. Ogsbury

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Before the House Committee on Natural Resources

Tuesday, July 29, 2014

H.R. 4901, the Advancing Conservation and Education Act of 2014

Mr. Chairman and members of the Subcommittee, thank you for inviting the Western Governors' Association (WGA) to testify today. My name is James D. Ogsbury and I am the Executive Director of the WGA. WGA is an independent, non-partisan organization representing the Governors of 19 Western states and 3 U.S.-flag islands. We are pleased to have this opportunity to testify in support of H.R. 4901, the Advancing Conservation and Education Act of 2014.

The Association is an instrument of the Governors for bipartisan policy development, information exchange and collective action on issues of critical importance to the Western United States. Above all, the Governors use WGA to promote common-sense and bipartisan solutions to Western policy challenges. In order to maximize the effectiveness of the Association, the Governors concentrate its resources on policy initiatives that are: timely, actionable, bipartisan, priorities of the Governors and Western in nature. Federal land exchange reform meets all of these tests.

On a bipartisan basis, Governors throughout the West have called for reform of the federal land exchange process, particularly to facilitate government-to-government exchanges that benefit both parties. As you know, state land managers have a fiduciary duty to manage state trust lands to maximize their revenues for specified constitutional purposes, such as public education. Federal lands are managed for entirely different purposes. Where state lands are effectively trapped inside federal conservation areas, it only makes sense to effect exchanges so that the federal government can acquire and manage that land consistent with its purposes and the state can acquire land from which economic value can be realized.

The problem, of course, is that the procedural burdens for executing a land exchange with the federal government are overwhelming. The time-swallowing

bureaucratic requirements associated with appraisals, analyses and environmental reviews (and their staggering costs) operate to defeat otherwise sensible trades.

It is critical that Congress enact legislation to expedite the process for sensible government-to-government exchanges, which should be presumed to be in the public interest. When such exchanges are executed, the federal government can consolidate conservation areas, contiguous parcels can be managed more consistently, and the state can realize value for the lands granted to them in trust.

Accordingly, the Western Governors support H.R. 4901. The measure establishes a new process to consolidate both federal and state land holdings, pursuant to which a state may relinquish state-owned lands within federal conservation areas (such as national parks or federally designated wilderness areas) and then select replacement lands from the immense inventory of federal lands that are suitable for economic development. Appraisals are required to ensure that the lands exchanged are of equal value, and federal requirements for environmental review remain intact.

The legislation represents neither a radical proposal nor a comprehensive solution to the problem that is the federal land exchange process. It does, however, represent incremental progress, and it reflects a pragmatic and bipartisan approach to a problem that has seemed intractable for generations.

Western Governors are especially pleased that, in this instance, Congress has taken a page from the WGA playbook, advancing a pragmatic solution to a Western challenge on a bipartisan basis. They commend Chairman Bishop and Ranking Member DeFazio for coming together to develop this practical approach to a serious public policy challenge.

Thank you again for the opportunity to testify.