

Subcommittee on Federal Lands

Tom McClintock, Chairman
Hearing Memorandum

May 14, 2018

To: All Subcommittee on Federal Lands Members

From: Majority Committee Staff— Brandon Miller and Leah Baker
Subcommittee on Federal Lands (x6-7736)

Hearing: Legislative hearing on **H.R. 2365 (Rep. Paul Cook)**, To convey certain Federal land in California to Apple Valley, California, Twentynine Palms, California, Barstow, California, and Victorville, California.
May 17, 2017, 2:00 PM; 1324 Longworth House Office Building

H.R. 2365, “Desert Community Lands Act”

Summary of the Bill

H.R. 2365, introduced by Representative Paul Cook (R-CA-08), directs the Department of the Interior (DOI) to convey the surface estate of specified federal land to the Town of Apple Valley, to be known and designated as the Apple Valley Off-Highway Vehicle Recreation Area. It also directs DOI to convey parcels of land to the municipalities of Twentynine Palms, Victorville, and Barstow.

Cosponsors

None.

Witnesses

The Honorable Paul Cook
Member of Congress, California’s 8th District

Ms. Lori Lamson
Assistant Town Manager
Town of Apple Valley
Apple Valley, California

Background

Like many cities and towns in the California desert, the communities of Apple Valley, Barstow, Twentynine Palms, and Victorville are set amidst an extensive land ownership pattern dominated by the federal government. In some cases, these federally-managed lands provide tremendous opportunity for outdoor recreation, such as off-highway vehicle use. In other cases, they are impeding the surrounding communities from responding to the pressures of population growth and their ability to foster economic development. To meet key economic, community

development, and recreation needs, H.R. 2365 would convey parcels of land currently managed by the Bureau of Land Management (BLM).

H.R. 2365 would require that DOI convey to the Town of Apple Valley approximately 4,630 acres of BLM-managed land located north and east of the town center. The conveyance would be required to occur within five years of enactment, would be subject to valid and existing rights, and it would not include subsurface interests. The lands conveyed would be managed by the town as the Apple Valley Off-Highway Vehicle Recreation area and would be used for off-road vehicles, competitive races, training and other recreation. According to town officials, lands conveyed are already heavily used by off-road vehicles and managing this use will allow the town to meet obligations set forth in a Multi-Species Habitat Conservation Plan/Community Conservation Plan¹.

H.R. 2365 would also require that DOI convey to the city of Twentynine Palms approximately 80 acres located east of the city. The conveyance would be required to occur within one year of enactment. Conveyed land would be subject to valid and existing rights and would not include subsurface interests. The parcel is located adjacent to an area known as the 29 Palms Motorsports Arena, which annually hosts the Hilltoppers Motorcycle Club Grand Prix, with draws more than 1200² racers and 5000 attendees³. According to local officials, conveyed land will allow for larger and more popular race events, which will bring much-needed economic stimulus to the area.

H.R. 2365 would require that DOI convey to the City of Barstow approximately 320 acres of BLM-managed land located entirely within the incorporated city limits. The conveyance would be required to occur within one year of enactment, would be subject to valid and existing rights, and would not include subsurface interests. According to city officials, the parcel would contribute to improved vehicular circulation and reduced traffic congestion by allowing for secondary access to a key town center. This parcel is located adjacent to the I-15 Freeway and its commercial development is estimated to bring in as much as \$1,000,000 annually in sales tax revenue for the city. According to City Manager, Charles Mitchell, the parcel “is one of the most important pieces of vacant property in Barstow and its acquisition and development would be highly beneficial to [the] economically distressed community”.⁴

Finally, H.R. 2365 would require that DOI convey to the city of Victorville approximately 3,200 acres comprised of several parcels located either within the city limits or its sphere of influence. The conveyance would be required to occur within one year of enactment, conveyed land would be subject to valid and existing rights, and it would not include subsurface interests. According to city officials, the majority of the land would contribute to the Victorville’s master plan, which is designed to respond to projected population growth and serve as a transit hub between a planned high-speed passenger rail network connecting southern

¹ Letter from Scott Nassif, Town of Apple Valley Mayor, to Representative Paul Cook (June 13, 2017).

² *Hilltoppers Motorcycle Club*, <http://hilltoppersmc.com/> (last visited May 3, 2018).

³ Letter from John E. Cole, City of Twentynine Palms Mayor, to Representative Paul Cook (May 18, 2017).

⁴ Letter from Charles C. Mitchell, Barstow City Manager, to Representative Paul Cook (May 23, 2017).

Californian communities to Las Vegas, Nevada. Other conveyed parcels would be used for wastewater treatment, increased transportation access, and light industrial development.⁵

Major Provisions/Section-by-Section Analysis of H.R. 2365

Section 1: Short Title

Section 2: This section requires that no later than five years from enactment, the Secretary of the Interior convey to the Town of Apple Valley, California, approximately 4,600 acres of land to be known as the Apple Valley Off-Highway Vehicle Recreation Area. Conveyed lands would be subject to valid existing rights and would not include the underlying mineral estate. Conveyed lands would be used by Apple Valley for any public purpose related to the establishment of an off-road vehicle recreation park; the provision of off-road vehicle recreation, including races and competitive events; the designation of an area to discourage unauthorized use of OHVs in areas that contain environmentally sensitive land. Lands conveyed are prohibited from disposal by the town, unless approved by the Secretary of the Interior.

Section 3: This section requires that no later than one year from enactment, the Secretary of the Interior convey to the city of Twentynine Palms, California, approximately 80 acres of land, which would be subject to valid existing rights and would not include the underlying mineral estate.

Section 4: This section requires that no later than one year from enactment, the Secretary of the Interior convey to the city of Barstow, California, approximately 320 acres of land, which would be subject to valid existing rights and would not include the underlying mineral estate.

Section 5: This section requires that no later than one year from enactment, the Secretary of the Interior convey to the city of Victorville, California, approximately 3,200 acres of land, which would be subject to valid existing rights and would not include the underlying mineral estate.

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.

Administration Position

The Administration's position is currently unknown.

Effect on Current Law (Ramseyer)

None

⁵ Letter from Gloria Garcia, City of Victorville Mayor, to Natural Resources Committee Chairman Rob Bishop (May 17, 2017).