

Testimony of Robert McDougal, Commissioner
Pershing County, Nevada
House Natural Resources Committee
Subcommittee on Federal Lands
H.R. 1107, Pershing County Economic Development and Conservation Act
May 23, 2017

Chairman McClintock,

I am Robert McDougal, County Commissioner in Pershing County, Nevada. I represent approximately 6,600 constituents who live, work, and retire in our County. I am grateful for the invitation to present this testimony on behalf of the County and in support of the Pershing County Economic Development and Conservation Act. H.R. 1107 designates approximately 136,000 acres of public lands as seven wilderness areas and releases approximately 48,600 acres of BLM-managed Wilderness Study Areas from further study. The legislation also authorizes federal land sales, exchanges, and conveyances in Pershing County, Nevada. This legislation is critical to our economic survival and the preservation of our future. We appreciate your consideration of H.R. 1107, the Pershing County Economic Development and Conservation Act, and urge the Committee to approve the measure and send it to the Full House for consideration.

I grew up in Pershing County in the ranching business and after a professional career in California, have returned to this special place to live, run another business, and serve Pershing County's residents. For over a decade Pershing County residents, elected officials and various stakeholders sought to find solutions to public lands issues that traditionally have torn western communities apart. Our community has taken the difficult yet rewarding path of bringing all voices together to find solutions and resolve differences that improve our economy, preserve our favorite lands, and provide land tenure adjustments that will create careers, not just jobs for our citizens.

Located in northwestern Nevada, Pershing County is approximately 75 percent owned and managed by the Federal Government, predominately by the Bureau of Land Management (BLM). Unfortunately, much of the federal land is in a checkerboard pattern due to early conveyances designed to incentivize building of the transcontinental railroad. What seemed like a great idea at the time, has led to a fractured ownership pattern that is difficult for both private owners and the BLM. Not even 640 acres and a mule in Pershing County can generate significant economic activity. Initially, our broad-based effort was focused on rectifying the land ownership pattern to allow the BLM and private owners to block up their ownership acreage. However, other issues needed to be resolved as well. We learned through many years, numerous community meetings, hundreds of hours spent with ranchers, land owners, business owners,

recreation and wildlife interests, and various other stakeholders, that we needed to address the protection of some of our BLM lands and resolve decades old disputes. The Pershing County Economic Development and Conservation Act is designed to do just that: rectify the checkerboard land pattern surrounding our County seat, Lovelock, Nevada and Interstate 80, provide authority for mining operations to purchase for fair market value lands already under claim, and to designate BLM lands as wilderness.

Mr. Chairman, I cannot stress enough the broad-based, all-inclusive nature of the long process to achieve consensus in Pershing County in regard to the future management of our public lands. In many public meetings, the voices of all interests were heard and serious consideration was given to all points of view. Hunters, hikers, four wheelers, ranchers, environmentalists, miners, prospectors, educators, business owners, and many other citizens were part of our process. Although many of these decisions were very difficult, we have reached a public consensus. We had people on the ground literally walking and riding wilderness boundaries, carving out water infrastructure, adjusting for mining claims, and insuring that we eliminated as many conflicts as possible. Mining companies and land owners expressed the need to exchange or privatize federal lands to make economic development in the county possible. They made their case to convince all stakeholders that the lands to be sold or exchanged are not those worthy of federal conservation protections but should be utilized for their highest purposes—mining and other economically beneficial activity. The former and current County Commissioners unanimously support this legislation. We also enjoy the support of our ranching community, miners, hunters, wilderness advocates, recreationists, business owners, the entire Nevada House Delegation, and a broad array of Pershing County citizens.

In greater detail, H.R. 1107 accomplishes the following:

Title I:

Title I of H.R. 1107 directs the sale or exchange of BLM lands identified as the “Checkerboard Lands Resolution Area” and that have been identified as suitable for disposal in the Winnemucca Resource Management Plan completed in 2015, or in any subsequent land use plan amendment or revision for the planning area. Title I also limits the number of acres which could ever be sold to 150,000 acres. Furthermore, any lands to be exchanged or sold under this authority must be jointly selected by the county and the Secretary—insuring that both federal and local government concerns and conflicts can be resolved. Lastly, the legislation establishes a formula for distribution of proceeds from land sales as the following: 1) 85% going back to the BLM in Nevada to be used for drought mitigation, protection of sage grouse habitat, wildfire suppression, and other appropriate functions of the BLM; 2) 10% going to Pershing County to be utilized by the County; and 3) 5% to the State of Nevada general education per current law.

Title II of H.R. 1107 provides for directed sales of up to approximately 102,000 acres of BLM-managed public lands identified as “covered land” on the legislative map to existing mining

projects that currently own mining claims within the specified map. These are previously disturbed lands where exploration and mining are occurring today. This authorization allows these “qualified entities” to purchase these lands at fair market value pursuant to uniform appraisal standards and practices, and must be completed within one year. The qualified entity purchasing the land would assume all costs of the sales, including survey and administrative costs. Proceeds from these sales would be disbursed in the manner outlined for the sales and exchanges required by Title I. These sales will very quickly provide revenues for the BLM to begin restoring sage grouse habitat, conduct wildfire prevention activities, and preservation of significant cultural and ecological resources. Moreover, these purchased lands will come onto the property tax rolls quickly which will increase our county revenues that are so desperately needed.

Under private ownership, these mines will continue to be regulated by the State of Nevada and will be reclaimed under Nevada State law which is the nation’s model for mine regulation and reclamation. One distinct difference is that at the end of mine life, under the BLM guidelines, all infrastructure—power, roads, buildings, water, utilities, etc. must be removed. Under state law, these large industrial complexes could be used to facilitate renewable energy projects such as geothermal, sun, and wind energy production. Additionally, this infrastructure could provide sustainable economic development within our county.

Lastly, Title II also provides for the conveyance of approximately 10 acres of BLM managed lands to Pershing County for the specific purpose of expanding the Unionville Cemetery.

Title III designates approximately 136,000 acres of BLM managed lands as Wilderness under the 1964 Wilderness Act. Furthermore, the bill releases from further study approximately 48,600 acres of BLM managed lands from Wilderness Study Area status. More specifically, the bill designates 12,339-acres as the Cain Mountain Wilderness, approximately 24,900 acres as the Bluewing Wilderness, 22,822 acres as the Selenite Peak Wilderness, 11,855 acres as the Mount Limbo Wilderness, 13,875 acres as the North Sahwave Wilderness, 35,339 acres as the Grandfather’s Wilderness, and 14,942 acres as the Fencemaker Wilderness.

Pershing County supports the designation of these lands for permanent protection under the Wilderness Act. As you can imagine, getting to this level of broad support in our county was not easy. As I mentioned previously, hundreds of hours of one-on-one work with ranchers, owners, conservation advocates, wildlife groups, hunters, miners, and other stakeholders went into this wilderness proposal. Wilderness Study Status in Pershing County has long been a point of contention. The resolution of wilderness issues in our community brings certainty for all stakeholders. We worked hard to protect existing uses, resolve conflicts, and insure that wilderness designations do not negatively impact our citizens. While not everyone in the county supports all of the wilderness designations, the County Commission’s confidence in our process and our legislative product resulted in a unanimous resolution in support of the legislation earlier this year which is attached to my testimony.

Mr. Chairman, Nevada began resolving public lands issues on a county by county basis back in the mid-1990's and we have a proud history of bringing divergent views together to find solutions. Pershing County's proposal enjoys perhaps the greatest support from all stakeholders in this long history of success. My county needs your help to move H.R. 1107 through the legislative process and we request the Committee to do all it can to enact this important bill. It is critical for our current and future economic condition and it is critical for the preservation of our federal lands. I thank you for your time and effort on our behalf and am prepared to answer any questions or provide further information.

Robert McDougal, Commissioner
Pershing County, Nevada