

Statement of Mr. Mike Simpson**H.R. 2818****Subcommittee on National Parks, Recreation, & Public Lands
Committee on Resources****April 16, 2002**

Mr. Chairman.

Thank you for scheduling this hearing on H.R. 2818.

H.R. 2818 is a simple, straightforward bill that would convey approximately ten acres of public land located within the Bureau of Land Management Sand Mountain Wilderness Study Area, located near St. Anthony in southeast Idaho, to the owner of the Sand Hills Resort. The Sand Hills Resort will pay fair market value for the land as valued by an appraisal.

In 1971, Mr. Williams, the current owner of the Sand Hills Resort, purchased the five-acre resort and existing developments and over the ensuing thirty-one years has added numerous improvements to the property. The resort is a gateway to the St. Anthony Sand Dunes, a popular recreational area in southeast Idaho. The land comprising the resort was originally conveyed out of federal ownership in 1953, when the BLM sold five acres of public land adjacent to the St. Anthony Sand Dunes. Over the years, numerous improvements were made to the property, including a bar, restaurant, dance hall, and swimming pool. When Mr. Williams purchased the land in 1971, he converted the existing improvements to a recreational development catering to campers and users of the sand dunes. Unfortunately, the five-acre resort was inadvertently included in BLM's Sand Mountain WSA boundary, which was established in 1981.

Mr. Williams successfully operated the resort until the early 1990's when the BLM began to question the location of the resort and several facilities located on the resort. In 1995, a survey was initiated confirming

that the majority of the resort's facilities, including a portion of Mr. Williams house, were encroaching on public land. Since June of 1998, the resort has operated under a Special Land Use Permit, which temporarily authorizes Mr. Williams's use of the public land in question and allows the BLM to collect a fair market rent.

In June of 1997, the BLM began working to sell Mr. Williams ten acres of land in order to resolve the encroachment issue. In September of 1997, the BLM published A Notice of Intent to Prepare a Land Use Plan Amendment, the first step of a process that would have adjusted the boundary of the Sand Mountain WSA and allowed the BLM to sell approximately ten acres to the Sand Hills Resort. Unfortunately, the local BLM office was not able to move forward with the plan amendment due to concerns from the BLM Idaho State office that the proposed sale violated BLM's Interim Management Policy for Wilderness Study Area Management.

While the ten acres in question is located within the Sand Mountain WSA, I would like to point out to my colleagues that when the Sand Mountain Wilderness Study Area boundary was drawn, it mistakenly included the Sand Hills Resort and a small strip of land containing roads, camping sites, and a power line. According to the BLM, "the developments impair the naturalness of the WSA and should not have been included within the WSA boundary." It is quite clear that the sale area, which contains various facilities, camping sites, roads, and power lines, does not have characteristics which make it suitable for wilderness.

Unfortunately, until the encroachment issue is resolved, Mr. Williams cannot gain clear title to his property, preventing him from obtaining a loan against the property or making improvements to the property. Furthermore, this prevents Mr. Williams or his family from selling the resort, placing an undue financial hardship on Mr. Williams and his family.

This common-sense legislation will allow the BLM to resolve the long-standing encroachment problem, and

allow Mr. Williams to gain clear title to his property.

Thank you, Mr. Chairman, for the opportunity to bring this legislation before the Committee.