

Federal Land Action Group

April 26, 2016

Testimony of Demar Dahl, Elko County Commissioner

H. R. 1484, has been introduced into Congress by Congressman Mark Amodei and calls for the transfer of the Public Land in Nevada from the Federal Government to the State of Nevada. Though there is some movement in a number of other western states toward the creation of similar legislation, Nevada is the only state so far with legislation calling for the transfer and with legislation designed specifically for Nevada.

The present effort for the transfer started in Elko County Nevada back in 2009 when the Forest Service put restrictions on forest access that the County could not live with. The push back by the Elko County Commission resulted in a Congressional Field Hearing held in Elko with Elko County being supported by sixty four counties from around the West, with letters, resolutions or testimony, who were also concerned about Forest access. After the Congressional hearing, which concluded with strong support for the Counties position, the Forest Service thumbed their nose at the Congressional Committee, the sixty four counties and Elko County. That is what caused county commissioners from several states to come together and form the American Lands Council.

It was the American Lands Council that brought about AB 227 in the Nevada State Legislature, which created a Task Force to study the implications of a transfer of the public lands to the State of Nevada. The Task Force was made up of one Commissioner from each of the seventeen counties in the State with the assigned task

of meeting at least twelve times in the next year, and then providing the legislature with a recommendation.

The Task Force met thirteen times during the next year and started by contracting for an economic analysis to determine if the state indeed could both afford to make the transfer and then to manage the public lands within the state. The analysis conducted by Intertech Services concluded that not only could the state afford to make the transfer but could expect a sizeable net return from owning and managing its public lands within the state. Next, the State agency people made presentations to the Task Force to discuss what it would take to get from where they were to where they would need to be, in order to manage the lands. The Task Force had presentations from the stakeholders on the public lands, from the Sierra Club to the sportsmen and Farm Bureau and miners, who were there to give their perspective on transferring the lands. Legal scholars were invited to debate the legalities of the transfer as the Task Force acquired all the information available that could be crammed into that year of meetings.

It was interesting to watch what went on in the Task Force as the year went by, where at the beginning of the year there was support for the transfer by about half of the members, at the end of the year every Commissioner was on board for the transfer and every Commissioner went back to their respective Commissions and got a vote of approval for the transfer. A report in the form of a resolution was forwarded to the legislature, "you can have a look at it and the full Nevada Land Management Task Force Report at nvnaco.org under resources tab". That resolution became (Senate Joint Resolution #1) and subsequently passed both houses of the legislature and was signed by the Governor.

SJR1 served as the template for H. R. 1484 introduced by Congressman Amodei in the House of Representatives.

The call for the transfer takes off the table the National Parks, National Monuments, Wilderness Areas, Indian Lands, and military lands. It also specifies that all valid existing rights will transfer with the land. In other words whatever you can do on the public lands today you will be able to do after the land is transferred. If you can hunt, fish, graze, prospect or cut firewood, etc. now, you will be able to do it after the transfer. The land will transfer in two phases. Phase one of the transfer will include 7.2 million acres of the now about 60 million controlled by the Federal Government. Some of the land in phase one which includes land already designated for disposal by the federal agencies and some of the land in the Rail Road Corridor can be sold.

The legislation makes it clear the remaining public land in phase two, cannot be sold. The public land will remain public but will be owned and managed by the State. Use of the public land will be available to everyone in the nation but it will be up to the people of Nevada to be sure the natural resources are protected and used wisely. Generations to come can be assured of the opportunity to hunt, fish, camp, prospect, graze and do all those things on the public lands that have been done in the past as access in the future is guaranteed. The industries in Nevada most dependent on use of the public lands, recreation, mining and ranching, will continue to have a future as they make wise use of the natural resources.