

# Committee on Natural Resources

Rob Bishop, Chairman  
Mark-Up Memorandum

June 20, 2017

**To:** All Committee on Natural Resources Members

**From:** Majority Committee Staff – Aniela Butler  
Subcommittee on Federal Lands (x 6-7736)

**Markup:** **H.R. 1107 (Rep. Mark Amodei)**, To promote conservation, improve public land management, and provide for sensible development in Pershing County, Nevada, and for other purposes.  
**June 22 & 27, 2017; 1324 Longworth HOB.**

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**H.R. 1107 (Rep. Amodei), “*Pershing County Economic Development and Conservation Act*”**

## **Summary of the Bill**

H.R. 1107, introduced by Rep. Mark Amodei (R-NV-02), is a bipartisan bill that consolidates checkerboard land previously identified for disposal by the Bureau of Land Management, conveys land for mining and public purposes, creates new Wilderness Areas and releases certain Wilderness Study Areas to benefit conservation, recreation, and economic development in Pershing County, Nevada.

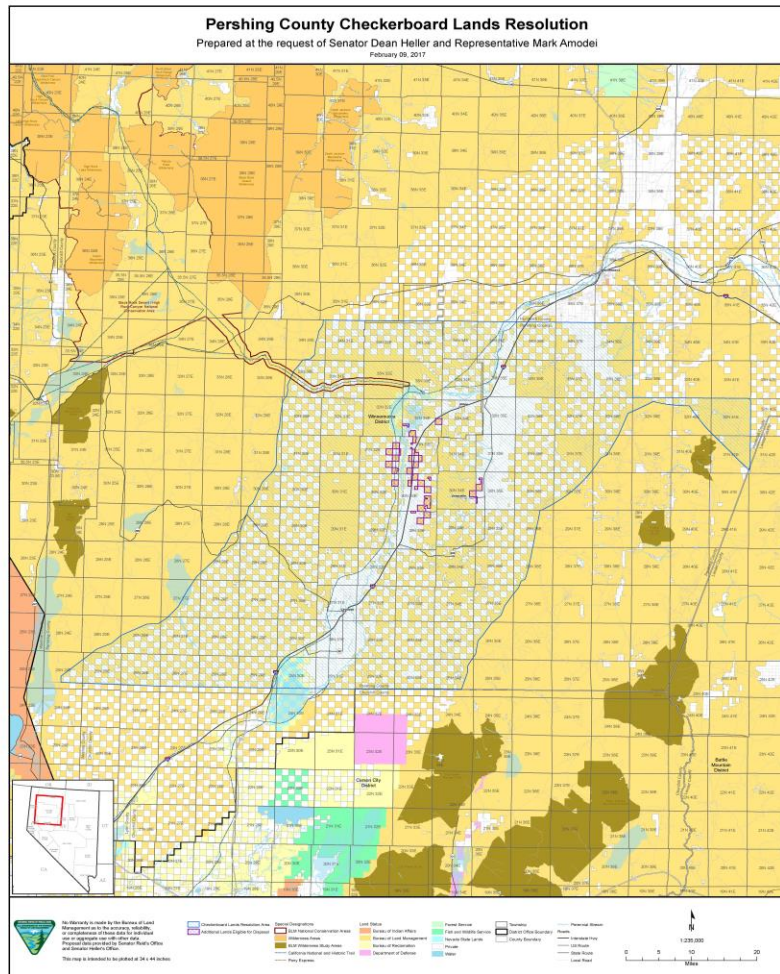
## **Cosponsors**

Rep. Dina Titus (D-NV-01), Rep. Jacky Rosen (D-NV-03), Rep. Ruben Kihuen (D-NV-04)

## **Background**

H.R. 1107, “*Pershing County Economic Development and Conservation Act*”, is the result of over a decade of negotiations between locally-elected officials, miners, conservationists, sportsmen, ranchers, and residents in Pershing County, Nevada. The bill consolidates over 300,000 acres of checkerboard federal land previously identified for disposal by the Bureau of Land Management (BLM); conveys land for mining and public purposes, including the transfer of a cemetery to the County; creates 136,072 acres of new Wilderness Areas and releases roughly 48,600 acres Wilderness Study Areas (WSA) to benefit conservation, recreation, and economic development in Pershing County, Nevada.

In Pershing County, 75% of the land is federally-owned, with over 300,000 acres identified for disposal under the BLM's Winnemucca District Resource Management Plan.<sup>2</sup> H.R. 1107 allows for the sale of up to 150,000 acres of checkerboard land previously-identified for disposal by the BLM. The County will work jointly with BLM to identify high-priority land sales along the I-80 corridor, lands east of the Rye Patch State Recreation Area, land near the Humboldt River Ranch and West Humboldt Range to resolve the checkerboard pattern of ownership throughout the County.<sup>3</sup> The sale and transfer of lands will streamline BLM's management of the area and provide the County and State with additional revenues to jumpstart economic development.

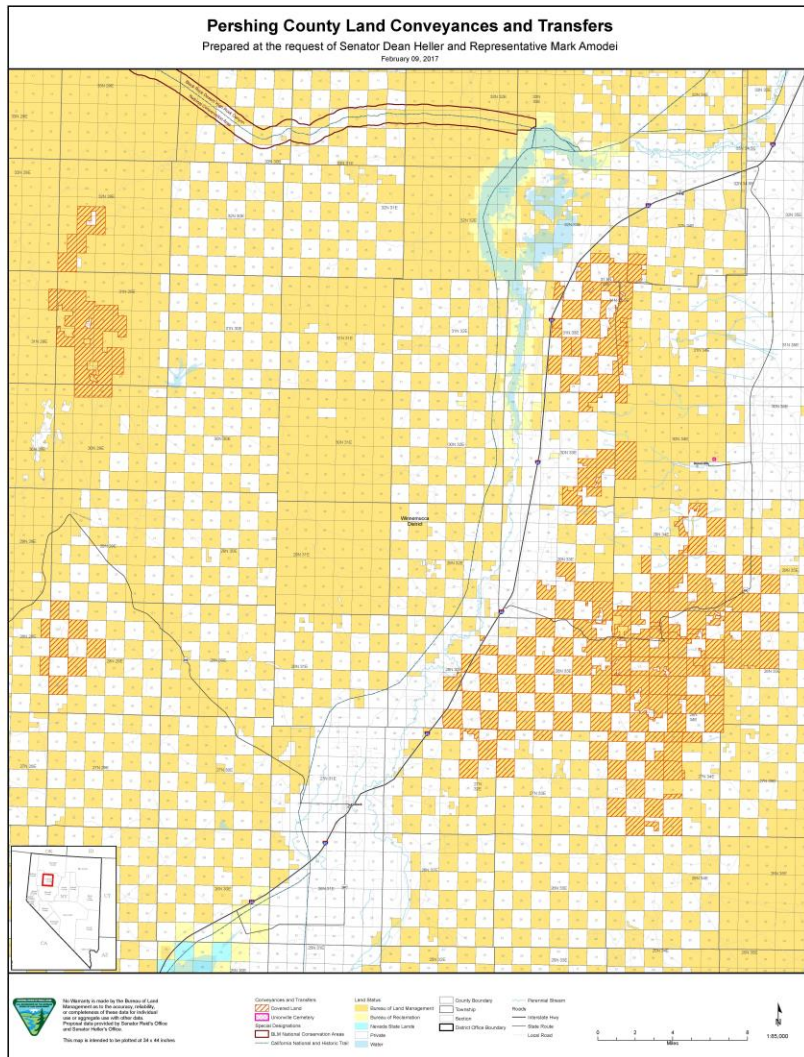


Of the proceeds from the sale, 5% will go to the State for educational purposes and 10% will go to Pershing County. The remaining 85% of the proceeds will be deposited in the Pershing County Special Account and fund reimbursements for land sales; wildlife habitat conservation projects; reimbursements for County drought projects; wildfire pre-suppression and restoration projects; future acquisition of environmentally sensitive land or lands that secure recreational access for the public; and surveys related to wilderness designations.

<sup>1</sup> Map provided courtesy of the BLM on February 9, 2017 to Senator Dean Heller and Representative Mark Amodei.

<sup>2</sup> Karen Wesner, "Pershing County Lands", Pershing County, 06/14/16, <http://pershingcounty.net/index.php/Lands-Information/pershing-county-lands.html>

<sup>3</sup> Senator Dean Heller, "Pershing County Economic Development and Conservation Act", <https://www.heller.senate.gov/public/index.cfm?p=pershing-county-lands-bill>



H.R. 1107 includes several land conveyances for public purposes and to consolidate mining operations in Pershing County. Solidus Resources, Coeur Mining, Pershing Gold, and EP Minerals will all have the ability to acquire land from the BLM where they own mining claims, millsites, or tunnel sites. According to Coeur Mining, allowing the consolidation and expansion of mining operations will lead to “greater investments, additional development and production from these lands, and important for Pershing County – economic development and jobs.”<sup>5</sup> The bill will benefit several mining sites, including the Rochester gold and silver mine, which generates over \$14 million alone annually in taxes, employment, and labor-related income in Pershing County.<sup>6</sup> The bill also conveys the Unionville Cemetery to

Pershing County. Established in the 1870’s, the 10-acre cemetery is still in use, although the BLM currently prohibits any additional burials.<sup>7</sup> Transferring the land would ensure its continued use and allow residents of the County to bury their loved ones.

H.R. 1107 also designates 136,072 acres of Wilderness and releases approximately 48,600 acres of WSA. The new wilderness designations include 11,855 of the Mount Limbo WSA; 13,875 in North Sahwave; 24,900 acres in the Bluewing Mountains; 22,822 acres in the Selenite Mountains WSA; 14,942 acres in Fencemaker; 35,339 acres in Grandfathers’ encompassing the majority of two WSAs; and 12,339 acres known as Cain Mountain in the Augusta Mountain WSA. The bill also releases 48,600 acres of WSA studied since the early

<sup>4</sup> Map provided courtesy of the BLM on February 9, 2017 to Senator Dean Heller and Representative Mark Amodei.

<sup>5</sup> Coeur Mining, “Economic Development and Conservation Act Proposal – Pershing County, Nevada”, 06/27/16.

<sup>6</sup> Ibid.

<sup>7</sup> Senator Dean Heller, “Pershing County Economic Development and Conservation Act”, <https://www.heller.senate.gov/public/index.cfm?p=pershing-county-lands-bill>

2000's in Augusta Mountain, China Mountain, Mount Limbo, Selenite Mountains, and Tobin Range.

The bipartisan bill garnered support from the entire Nevada Congressional delegation during the 114<sup>th</sup> Congress and is supported by the entire House delegation in the 115<sup>th</sup> Congress. Senator Dean Heller (R-NV) introduced a companion bill, S. 414, on February 16, 2017. The bill is supported by Pershing County, Friends of Nevada Wilderness, the Nevada Chapter of Backcountry Hunters & Anglers, Coalition for Nevada's Wildlife, and several Nevadan mining companies including Clover Nevada, Coeur Mining, EP Minerals, Gold Acquisition Corp., and Solidus Resources.<sup>8</sup>

## **Major Provisions**

### **Section 1: Short Title; Table of Contents**

#### **Title I: Checkerboard Land Resolution**

- Authorizes the Secretary of the Interior (Secretary) to conduct sales or exchanges of eligible checkerboard land, covering approximately 300,000 acres, jointly selected with the County
- Allows the Secretary to conduct a mass appraisal of land likely to be valued at under \$500 per acre and gives adjacent landowners a right of first refusal
- Directs the Secretary of the Interior to identify Management Priority Areas that are greater sage-grouse habitat; part of an identified wildlife corridor or designated critical habitat; used for outdoor recreation or public access to hunting, fishing, and other recreational purposes; considered sites with significant cultural, historic, ecological, or scenic value; or valuable for improving Federal land management
- Limits the amount of land eligible for sale to 150,000 acres
- Specifies that 5% of proceeds will go to the State for educational purposes, 10% will go to Pershing County, and the remaining 85% of proceeds will go to the Pershing County Special Account and fund reimbursements for land sales or County drought projects; wildlife habitat conservation projects; wildfire pre-suppression and restoration projects; future acquisition of environmentally sensitive land or lands that secure recreational access for the public; and surveys related to wilderness designations
- Directs the Secretary to submit a report to the State, County, and appropriate Committees of Congress on the operation of the Pershing County Special Account

#### **Title II: Land Conveyances and Transfers**

- Directs the Secretary to conduct land sales with the owners of mining claims, millsites, or tunnel sites on land covered under the Act; lessees with the right of possession of the mining claims, millsites, or tunnel sites on the covered land, who have paid the annual claim maintenance fee or filed a maintenance fee waiver on or before September 1, 2016 for the mining claims, millsites, or tunnel sites, or have the consent of the owner to

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<sup>8</sup> Information provided courtesy of Rep. Amodei's office.

acquire the land; or a subsequent successor that has the consent of the owner to acquire the land

- Distributes proceeds from the sales in accordance with the formula outlined in Title I
- Conveys to the County, without consideration, the 10-acre Unionville Cemetery

### **Title III: Wilderness Areas**

- Designates 136,072 acres of Wilderness including the Cain Mountain, Bluewing, Selenite Peak, Mount Limbo, North Sawwave, Grandfathers', and Fencemaker Wilderness Areas as components of the National Wilderness Preservation System
- Releases approximately 48,600 acres of Wilderness Study Areas in Augusta Mountains, China Mountain, Mount Limbo, Selenite Mountains, and Tobin Range

### **Section 2: Definitions**

#### **Cost**

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

#### **Administration Position**

The Administration position is unknown at this time.

#### **Anticipated Amendments**

None.

#### **Effect on Current Law (Ramseyer)**

None.