

**Testimony of
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Senate Committee on Indian Affairs

S. 2479, Moapa Band of Paiutes Land Conveyance Act

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Thank you for the opportunity to testify on S. 2479, which directs that approximately 26,565 acres of public land in southern Nevada be held in trust for the Moapa Band of Paiutes. The Department supports S. 2479 and would like to work with the Sponsor and the Committee on modifications concerning energy transmission corridors, recreational opportunities, and protection of sensitive species.

Background

The Moapa Band of Paiute Indians (Tribe) is a federally recognized Indian tribe that resides on the Moapa River Reservation (Reservation). The Reservation was initially set aside in 1874, and is currently comprised of approximately 71,954 acres in southern Nevada.

The lands proposed in S. 2479 to be held in trust for the Tribe are adjacent to the existing Reservation. Most of the lands are currently managed by the Bureau of Land Management (BLM) Las Vegas Field Office under its 1998 Las Vegas Resource Management Plan (RMP). This RMP is under revision to address renewable energy development, energy transmission, sensitive species, cultural resource protection, and recreation issues. The draft RMP is currently expected to be available for public review later this year and a Record of Decision is expected by early 2016.

S. 2479

Subject to valid existing rights, S. 2479 transfers approximately 26,565 acres of public land currently administered by the BLM and the Bureau of Reclamation to be held by the United States in trust for the Tribe. Under the bill, the Secretary of the Interior would be required within 180 days of enactment to complete a survey to establish the boundaries of the land to be held in trust. S. 2479 provides that this land shall not be used for class II or III gaming, and can be used only for traditional and customary uses, stewardship conservation for the benefit of the Tribe, residential or recreational development, or renewable energy development. Any other use would require the Tribe to pay to the Secretary the fair market value of the lands, as determined by standard appraisal practices. Application of this process to land taken into trust is not a familiar approach, and the Department would need to conduct additional review and analysis before taking a position on this portion of the legislation.

Currently, several important rights-of-way cross the lands proposed to be held in trust in S. 2479, including the West Wide Energy Corridor which crosses the western portion of the proposed lands. The Old Spanish Trail, a national historic trail, crosses the southern portion of the

proposed lands, and many of the lands identified are also important recreation areas. The southern portion of the proposed lands is also habitat for the three-corner milkvetch, a BLM-sensitive plant species, listed by the State of Nevada as “critically endangered.” All of these matters are being addressed in the RMP revision, which will cover 3.1 million acres in southern Nevada, including all of the acreage identified to be held in trust in S. 2479.

The Department supports S. 2479, and recommends it be amended to address the land management concerns identified above regarding energy transmission. To ensure that this area continues to be an important corridor for renewable energy development and transmission in the future, we recommend that energy transmission be an identified use of the lands under the bill.

The Department would also like to have further discussions with the Sponsor and Committee regarding the fair market value provisions in Sec. 3(d)(2)(B). We would be glad to work with the Sponsor and the Committee on proposed amendments to the bill.

Conclusion

Thank you for the opportunity to testify in support of this legislation which will provide important benefits to the Tribe.