

**Statement of  
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U.S. Department of the Interior  
Senate Committee on Indian Affairs  
S. 1436, Nevada Native Nations Land Act  
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Thank you for the opportunity to provide the views of the Department of the Interior (Department) on S. 1436, the Nevada Native Nations Land Act. S. 1436 provides for the Secretary of the Interior to hold in trust for the benefit of a number of Federally-recognized tribes over 71,000 acres of Federal lands in Nevada managed by the Bureau of Land Management (BLM) and the United States Forest Service. Placing land into trust for tribes is a top priority for this Administration. The Department of the Interior welcomes opportunities to work with Congress on lands to be held in trust and generally supports S. 1436, if amended to address concerns noted below. We appreciate efforts to address some of the BLM's concerns with previous versions of the bill. The Department defers to the U.S. Department of Agriculture regarding National Forest System Lands.

Some of the parcels identified in this legislation contain lands that are General or Priority Habitat Management Areas for the Greater Sage-Grouse, which are identified for retention in the final Greater Sage-Grouse Plan for Nevada and Northeastern California and which served as a basis for the U.S. Fish and Wildlife Service's September 22, 2015, determination that a listing under Endangered Species Act was not warranted. Accordingly, the Department would like to work with the sponsor and the Committee on boundary modifications to avoid Greater Sage-Grouse habitat or on language that would ensure appropriate conservation measures for the Greater Sage-Grouse.

**S. 1436**

S. 1436 provides that six areas of public lands in Nevada are held in trust for specific Native American Tribes. The bill includes a provision requiring surveys of the lands within 180 days of enactment. S. 1436 also provides that land shall not be used for Class II or III gaming.

The Department and the BLM strongly believe that open communication between BLM and the tribes is essential in maintaining effective government-to-government relationships. In this spirit, the BLM has had a cooperative working relationship with the Tribes, and the Department is pleased to generally support the provisions concerning lands to be held in trust for these Tribes. We would be glad to work with the sponsor and the Committee on proposed amendments to the bill, including language adjusting the timeframes for cadastral surveys, which are currently insufficient, language addressing Greater Sage-Grouse conservation, and other minor technical modifications. Specific comments about each proposed area follow.

**Fort McDermitt Paiute & Shoshone Tribe**

Sec. 3(a) provides that, subject to valid existing rights, approximately 19,094 acres of BLM-managed lands are held in trust for the benefit of the Fort McDermitt Paiute and Shoshone Tribe of the Fort McDermitt Indian Reservation, and shall be part of the reservation. The lands are depicted on a map entitled "Fort McDermitt Indian Reservation Expansion Act," dated Feb. 21, 2013. These lands are adjacent to and surrounding the existing Fort McDermitt Indian Reservation. The Department supports holding these lands in trust for the benefit of the Tribe, but would like to work with the

sponsor on minor technical and boundary amendments, including boundary amendments or language addressing Greater Sage-Grouse conservation.

### **Shoshone Paiute Tribes**

Sec. 3(b) provides that, subject to valid existing rights, approximately 82 acres of land are held in trust for the benefit of the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation. The lands to be held in trust under this section are currently managed by the United States Forest Service, and the Department of the Interior defers to the Forest Service on the current management of those lands.

### **Summit Lake Paiute Tribe**

Sec. 3(c) provides that, subject to valid existing rights, approximately 941 acres of BLM-managed lands are held in trust for the benefit of the Summit Lake Paiute Tribe, and shall be part of the reservation. The lands are depicted on a map entitled, “Summit Lake Indian Reservation Conveyance,” dated Feb. 28, 2013. These lands would expand the existing Summit Lake Indian Reservation to entirely surround Summit Lake. The Department supports holding these lands in trust for the benefit of the Tribe, but would like to work with the sponsor and the Committee on boundary adjustments or language addressing Greater Sage-Grouse conservation.

### **Reno-Sparks Indian Colony**

Sec. 3(d) provides that, subject to valid existing rights, approximately 13,434 acres of BLM-managed lands are held in trust for the benefit of the Reno-Sparks Indian Colony, and shall be part of the reservation. The lands are depicted on the map entitled “Reno-Sparks Indian Colony Expansion,” dated June 11, 2014. These lands are adjacent to the current reservation. The Department supports the proposed land transfer in Sec. 3(d), but would like to work with the sponsor on language or boundary modifications to ensure manageability and to address Greater Sage-Grouse conservation. The Department notes that the proposed configuration would isolate some BLM-managed land. Isolated, irregularly-shaped parcels like these are difficult to manage, especially in terms of public safety, recreation, energy development or transmission, grazing, and fire suppression.

### **Pyramid Lake Paiute Tribe**

Sec. 3(e) provides that, subject to valid existing rights, approximately 6,357 acres of BLM-managed land are held in trust for the benefit of the Pyramid Lake Paiute Tribe, and shall be part of the reservation. The lands are depicted on the map entitled, “Pyramid Lake Indian Reservation Expansion,” dated April 13, 2015. The areas to be held in trust are adjacent to the current reservation, which surrounds the southeast portion of Pyramid Lake. The Department supports holding these lands in trust for the Pyramid Lake Paiute Tribe, but would like to work with the sponsor to address boundary modifications to ensure manageability and address Greater Sage-Grouse conservation.

### **Duckwater Shoshone Tribe**

Sec. 3(f) provides that, subject to valid existing rights, approximately 31,269 acres of BLM-managed land are held in trust for the benefit of the Duckwater Shoshone Tribe, and shall be part of the reservation. The lands are depicted on a map entitled, “Duckwater Reservation Expansion,” dated January 12, 2015. The Department supports holding these lands in trust for the benefit of the Tribe, but would like to work with the sponsor on minor technical and boundary amendments to maintain water sources for wild horses in the expansion area, preserve trailing use for grazing, and ensure gravel pit access for Nye County. In addition, the Department would like to work with the sponsor and the Committee on boundary adjustments or language to address Greater Sage-Grouse conservation. Finally, the Department notes that the “Reservation Expansion Lands” generally

depicted on the map includes a 40-acre parcel of private land. We would like the opportunity to provide a corrected map that resolves this issue.

**Conclusion**

The Department of the Interior welcomes opportunities to work with Congress and tribes on holding lands in trust. We support the intent of the legislation and look forward to working with the sponsor and the Committee to address the issues we have outlined in this testimony.