

**TESTIMONY OF EDWARD W. SHEPARD  
PRESIDENT, PUBLIC LANDS FOUNDATION  
THE HOUSE SUBCOMMITTEE ON INTERIOR, ENVIRONMENT AND RELATED  
AGENCIES; COMMITTEE ON APPROPRIATIONS;  
ATTENTION: PUBLIC WITNESS TESTIMONY  
FISCAL YEAR 2020 BUDGET – BUREAU OF LAND MANAGEMENT  
February 26, 2019**

We thank you for this opportunity to present the Subcommittee with our views regarding the Bureau of Land Management's (BLM) budget for FY 2020. As a national, non-profit organization with more than 600 members, comprised principally of retired, but still dedicated, BLM employees, the Public Lands Foundation (PLF) has a unique body of experience, expertise and knowledge of public land management. As retirees, we believe we offer an objective and non-bureaucratic view of what is currently happening on the Public Lands managed by the BLM. The PLF supports the BLM and its programs, but we are independent in our views and requests. We strive to improve the effectiveness of the BLM by 1) encouraging professionalism of its employees, 2) increasing the public's understanding of and support for the proper management of the public lands, and 3) promoting scientific management of lands administered by the BLM.

Overview

The BLM manages the most diverse landscapes in the Nation's portfolio; providing stewardship to approximately 247 million acres of land and 700 million acres of mineral estate from the north slope of Alaska to Jupiter Inlet in Florida, and from tundra, to old growth forests, to desert landscapes. These lands consist of many attributes; habitat for thousands of species of plants and animals, clean water, cultural resources, scenic beauty, solitude, and special places. They also provide the Nation with wealth from its many resources including oil and gas, coal, renewable energy, non-energy minerals, all types of recreation, forage for livestock, timber, and wild horses and burros. The economic value of these lands to the American people is immense; according to the *BLM: A Sound Investment for America 2018* report, during Fiscal Year 2017 these lands generated combined revenues in excess of \$96 billion and over 468,000 jobs. These lands are important economically to the United States as a whole. They are vital to the many rural communities throughout the West that are intermixed with these lands and whose citizens work and recreate on the lands. These uses and values can only be achieved when there is some balance between energy development and other programs, such as wildlife, livestock grazing, forest management, and recreation to provide for the diversity of uses and maintenance of healthy, resilient landscapes.

Budget Overview

The PLF recognizes and appreciates the difficult decisions that must be made by the Congress and the Administration to allocate scarce dollars to programs that generate the best economic and social returns to the American taxpayers. The President's Fiscal Year 2020 Budget proposal, having not yet been released, leaves us not knowing the Administration's priorities for the upcoming year for the BLM. The PLF believes the budget should prioritize programs that provide for healthy, resilient landscapes; the conservation of species dependent on the diverse habitat the BLM manages; economic benefits to the Nation and to the rural communities dependent on the BLM-managed public lands; all forms of energy and associated transmission; and the safety of communities these lands surround and the public that lives near and uses them.

The PLF is supportive of budget requests for the BLM that support the sustainable and balanced development of both traditional and renewable energy resources, including solar, wind, and geothermal energy resources on the public lands. Funding should also support the needs for the associated infrastructure related to pipeline and transmission development on the public lands necessary for the development of these energy resources. Energy and infrastructure development on the public lands is part of the multiple-use mandate for the BLM under the Federal Land Policy and Management Act (FLPMA) and also supports economic growth, energy independence, jobs in our rural communities, and generates revenues for federal and state treasuries and local economies. It is critically important that sufficient funds are provided to not only support the leasing and permitting activities to facilitate environmentally responsible energy development and associated infrastructure needs, but that sufficient funds are also provided for land use planning, other resource assessments, NEPA reviews, program management, and inspection and compliance activities to assure that development is complying with laws, regulations and lease terms. It should be recognized, however, that the development of energy resources and associated infrastructure on the public lands also affects other resources and must be balanced as to time and scale of development. Funding for other high value resource programs can help mitigate and offset some of the effects on these other resources and the landscape. An example would be funding to support the implementation of conservation practices for sage-grouse under the west-wide sage-grouse habitat management plans that are potentially affected by energy and infrastructure development.

The PLF acknowledges the renewable energy (solar, wind and geothermal) accomplishments of the BLM over the past few years and we would encourage continued funding to support and encourage development of renewable energy on the public lands. The BLM published a final rule in December 2016 that amended the right-of-way regulations to facilitate the responsible development of solar and wind energy projects on the public lands and to receive fair market value for such development. The BLM clearly now has the regulatory framework in place to aggressively move forward with the land use planning process for expansion of designated leasing areas, an expedited review and permitting process, and competitive leasing. It is also important that the BLM look at opportunities to revisit the recently revised compensatory mitigation policies for development activities on the public lands that limit the use of offsite mitigation tools to help reduce the landscape-level impacts from this development.

Funding was provided to the BLM in the 2019 budget to aggressively initiate the planning process for oil and gas leasing in the 1002 Area of the Arctic National Wildlife Refuge (ANWR), pursuant to language in the tax reform bill enacted into law in December 2017. The 2017 law required that the BLM conduct at least two lease sales by December 22, 2024. The BLM has initiated that effort and released a Draft EIS for leasing in the 1002 Area in December 2018, with the public comment period ending on March 13, 2019. Although the comment period remains open, release of the Draft EIS has prompted criticism of the analysis of leasing impacts from many conservation and indigenous groups. The BLM announced in early February that no new geophysical surveys would be conducted in the ANWR coastal plain this winter because of questions over impacts to wildlife and tundra conditions. The PLF requests that any funding

proposals for the 2020 budget be closely reviewed and that the schedule for completion of the EIS process be delayed, allowing for further review and analysis of impacts from oil and gas leasing in the 1002 Area. There is sufficient time to complete an appropriate level of review and analysis of the 1002 Area and the overall impacts to ANWR and the Arctic coastal plain, as the deadline for conducting lease sales is more than five years away. Funding provided in FY 2020 should be limited to gathering additional resource and wildlife information to support further review and analysis of oil and gas leasing impacts.

An area of great interest to the PLF is the management of habitat for species across the diverse habitats BLM manages. Habitat for the greater sage-grouse is one species of particular concern because its management affects vast areas of the West. As the West has become urbanized over the last 100 years, large areas of sagebrush have been impacted and this medium sized bird has suffered population declines. Although it is a state managed species that depends on the sagebrush-steppe habitat to survive, BLM manages large areas of the habitat across the Western states and must be in lock step with management strategies of the western states. The PLF recommends significant funding for the BLM to coordinate activities on public lands with state agencies, stakeholders and partners to improve and restore habitat that has been damaged by wildfire, weed invasions, and development. Conserving and restoring habitat for sage-grouse will also enhance populations of elk, mule deer, golden eagles and hundreds of species. Healthy sagebrush habitats also maintain vibrant ranching communities dependent on these habitats and a thriving outdoor recreation economy.

Another area of concern is one that the PLF has spoken to for many years. The overpopulation of wild horses and burros on the range is past the critical point and is doing irreparable harm to the land, vegetation, wildlife, livestock, and the horses and burros themselves. The current prohibition on sales without limitations is causing these populations to grow geometrically. The PLF has been working as a partner with a broad coalition of diverse stakeholders that are seeking a solution to the problem. We are cautiously optimistic that a long-term, non-lethal solution can be found. It will take a significant investment to fund an aggressive program of removals, fertility control, and pasturing of the animals. Such a program cannot be implemented rapidly, and in the meantime, BLM must be funded to adequately feed and care for the horses currently on and off the range.

In recognition of the longstanding battle to improve the health of the Nation's forests and rangelands, the large wildland fire problem and the horrendous tragedies in California in the past few years, the President issued Executive Order 13855 in December 2018, *Promoting Active Management of America's Forests, Rangelands, and Other Federal Lands to Improve Conditions and Reduce Wildfire Risk*. This was followed in January 2019 by Secretarial Order No. 3372 for the Department of the Interior, *Reducing Wildfire Risks on Department of the Interior Lands Through Active Management*. These orders direct the agencies to aggressively pursue active management of the landscapes, across ownerships, to improve the resiliency of these landscapes and reduce the risk of catastrophic wildfires that we have seen in growing numbers over the past several years. The orders call for coordination across Federal agencies and Departments, state and local governments, and tribes to address the problems. The orders call for improving the processes, under laws such as NEPA and the Endangered Species Act, so

that the agencies are better utilizing the expertise and resources they now have to meet these laws by working more closely together. The PLF supports the intent of these orders provided the process improvements meet the intent and purposes of the underlying statutes. Implementation of the orders will be costly; failure to implement will be costlier. Funds appropriated to this effort should be considered an investment in the safety of the citizens and communities these landscapes surround and creating resiliency in the forests and rangelands to continue to provide good and services. The high costs can be somewhat mitigated by all levels of government and all stakeholders working together to share staff and resources to achieve the objectives. Many authorities already exist to do this, such as the Good Neighbor Authority and other tools provided by the recent Farm Bill and other statutes. The process improvements directed by the orders could put limited staffs to work implementing actions rather than performing overly complex and often duplicative processes that add little value to actions. This work is critical to the protection of people, communities, and watersheds. It will not eliminate wildfire, but if implemented correctly, can reduce the intensity, size and duration of wildfires; reduce the health risk to communities from prolonged smoke; and reduce the cost and improve the success of post fire recovery of wildland fire impacted lands.

The PLF has concerns regarding continued discussions to possibly move the BLM headquarters to a yet to be determined location in the western United States as part of an overall DOI reorganization plan. We strongly believe the BLM headquarters, with only 3 percent of the BLM total workforce, should be located in the Washington, D.C. area to continue to provide budget, policy and oversight support to the Department, Administration, Congress, Office of Management and Budget, and other closely aligned Federal agencies.

The PLF strongly supports the dedicated professional employees of the BLM and other agencies. These public servants are highly trained and skilled at their jobs and they are committed to providing service to the American people. The recent partial government shutdown was tough on these employees beyond the stress from the lack of a paycheck. These people want to work and do their jobs. Not being able to work takes a toll on them. Reports from across the BLM show that these employees are resilient and have weathered the storm, but this cannot happen again. Further shutdowns will make it more difficult to recruit and retain good people to do this important work. Beyond the effects on federal employees and contractors, shutdowns also have impacts to local communities. Across rural America there are many communities where federal employees make up a large portion of the population. If federal employees are not receiving paychecks, they are not buying groceries, and they are delaying medical services and not buying household needs. The impacts ripple across the fragile economies many of these communities are experiencing. Please do what you can to not let this happen again.

We do appreciate the hard choices that this Subcommittee has before it. The Nation faces many challenges, all of which require funds. The public lands managed by the BLM and other public lands are a good investment that can provide positive returns to the Treasury as well as many amenities that contribute to the wellbeing of the American people. These lands are the lifeblood of many communities that provide economic development in commodities, recreation, cultural identity, and many other benefits.

Thank you for the opportunity to share the PLF's priorities for the BLM FY 2020 Budget.

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