

Return to the [referring page](#).

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Federal judge blocks BLM land sale in Lincoln County

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A trio of environmental organizations has blocked a planned land sale of more than 6,000 acres in southern Lincoln County.

The federal Bureau of Land Management had planned to sell the land for potential development in August. But U.S. District Judge David Hagen ruled Monday that the BLM failed to adequately conduct environmental studies of the impact the development would have.

The land is a few miles north of Mesquite in the southeast corner of Lincoln County, about 90 miles northeast of Las Vegas.

BLM officials said Wednesday that if the decision stands, it would push the date of the sales back by at least two years, the time it would take to do a full environmental impact statement. The agency had conducted an environmental assessment, but impact statements generally provide more detail and opportunities for public comment.

The Western Land Exchange Project, the Committee for the High Desert and the Center for Biological Diversity argued that the BLM violated the National Environmental Policy Act by neglecting to analyze the cumulative impact of the potential development on the region.

"The BLM acts as though its role is to expedite the rapid development of southeastern Nevada, but this decision says that's not the case," said attorney Christopher Krupp of the Western Land Exchange Project, a group that often tangles with the BLM. "Development can't go forward until the BLM takes an honest look at the consequences."

Tim Perkins, chairman of the Lincoln County Commission, said the court ruling is a blow to his county, which seeks residential investment to pump up property tax revenues and jump-start the county's moribund economy.

"It's bad news," he said. "It's a setback. We have to keep our eye on the long term here of reaching our goal of eventually selling that land."

The land sales were required under the Lincoln County Land Act, which Congress passed in 2000. The law requires the BLM to sell 13,000 acres over five years.

The BLM tried unsuccessfully to sell the 6,000 acres at the first auctions under the law in October 2001.

Developers did not bid on the land. Some said they feared the cost of providing services to the region and some said they were concerned about lawsuits and federal administrative appeals by the environmental groups.

Perkins said developers had indicated more interest than they had prior to the October 2001 auction.

"I believe it would have sold this time," he said.

The court's decision means that the BLM probably won't be able to comply with the requirement that the land be sold by October 2005, Ely BLM office assistant field manager Jeff Weeks said.

"It will basically eliminate the August sale," Weeks said. "It definitely will affect our ability to dispose of the lands in the time frames they gave us."

Weeks and BLM spokeswoman Jo Simpson said the process of preparing a full environmental impact statement would take at least two years. In the meantime, the agency could appeal the ruling, they said.

Simpson said her agency had done a full environmental impact statement that looked at the impact of the sales on the desert tortoise before following up with an environmental assessment. The agency felt those studies were sufficient, she said.

Krupp, however, said the agency needed to study a wider range of impacts and in more detail.

Return to the [referring page](#).

[Las Vegas SUN main page](#)

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