

SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES
Hearing on S.1689 – Las Cruces, New Mexico
February 15, 2010
Testimony Submitted by Tom Cooper

I wish to thank the Committee for holding this hearing, and for the invitation to participate.

None of the grazing allotments in the 500,000-acre Gila Wilderness are active today. Livestock and ranching families have been eliminated. If those families could have made it work, they would still be ranching, supporting their families and local communities, and providing beef for Americans. Their ranches were destroyed by the legislation and anti-grazing activism which followed. This scenario could be repeated in Dona Ana and Luna counties under S1689. Ranchers, employees, roundup crews, and suppliers would be out of work or otherwise severely impacted.

We participated with representatives of seven other groups, in "Regional Land Management: A Community Response", which was sponsored by the City and County. The Stakeholder Committee met twice weekly for three months. The announced purpose was to reach a consensus for the Citizens' Wilderness Proposal. That did not happen. In its final act, the 16 committee members voted for Wilderness on 55,550 acres (21%!) of the 259,050 acres of Wilderness now in S1689. In terms of acreages, withdrawal received more votes than Wilderness.

Later, in the Spring of 2007, we proposed an alternative plan to designate the 8 existing Wilderness Study Areas as Rangeland Preservation Areas, to withdraw the areas from disposal by sale or exchange, and from leasing for oil and gas or mining activity, similar to the Valle Vidal Act of 2006. That act was supported by Senator Bingaman and Representative Udall. Our proposal was prompted by the Valle Vidal Act and support for the withdrawal feature in the Stakeholder Committee.

Environmentalists state that Wilderness is the "gold standard" of preservation. In reality, preservation practices such as brush control, erosion control, flood control, and projects to improve water distribution and forage utilization for livestock and wildlife are prevented in Wilderness. BLM, NRCS, NM Assn. of Soil and Water Conservation Districts and the

ranchers are cooperating in a program to implement all of these practices. Through "Restore New Mexico", brush encroachment has been halted on hundreds of thousands of acres of NM rangelands. Those lands are again productive and beautiful! Sadly, brush encroachment with increased runoff and soil erosion will continue on the lands in S1689 subject to the "gold standard" of preservation!

Maps of the areas in S1689 provided to us reflect only the boundaries, and a few "cherry stems"! We had previously provided maps reflecting extensive improvements to congressional staff, as requested. We were told regarding the blank S1689 maps provided to us that we would need to get with BLM regarding improvements and access roads. It has been represented that we will have access to wells, troughs, and corrals. No specific representation has been made regarding frequency of access. In addition, roads along fence lines and roads to dirt tanks which we use to haul materials and check our cattle and deliver salt, mineral, and protein supplements, and other roads, are also essential to our operations. We have requested, but have not received detailed maps of S1689 or computer data files to allow us to produce detailed maps.

If Wilderness is to be designated, we ask that the legislation include complete maps reflecting roads and the improvements and wording allowing ranchers necessary access and frequency of use. Inclusion in the Act would also limit the expected challenges to ranchers' permit applications and to BLM's management decisions.

In response to a statement by a rancher that he needs to make the rounds of his pipelines and water facilities, make repairs, and check and feed his cattle 2 or 3 times weekly, and inquiring if that frequency will be allowed in Wilderness, BLM personnel stated that it might not be allowed weekly, perhaps not even every two weeks! BLM might well have added "Goodbye, ranchers"!

The huge Wilderness and NCA designations in S1689, the so-called Citizens' Proposal, came from organizations outside our area, the Wilderness Society and NM Wilderness Alliance. The Wilderness Society and some founding members of NMWA advocate removal of all livestock from public lands everywhere. A former board member of NMWA advised us that they view

Wilderness designations as the first step to eliminate the livestock and the ranchers.

Under S1689, I would be forced to operate my ranch under different management plans for 3 separate Wilderness areas, for the Desert Peaks NCA, and for areas remaining in multiple-use. The Hopkins Ranch in the Organ Mountains would be in similar circumstances, as would Williams Ranches in the Potrillo Mountains, and others. This would be a threat to the very existence of our ranches, and an administrative nightmare for BLM and the ranchers, requiring an inordinate amount of time creating and implementing management plans, dealing with ranchers' permit applications to make repairs or improvements, with public comment periods, responding to comments and legal challenges, etc.

None of my ranch was recommended for Wilderness in the 1991 Interior Department Record of Decision or by the Stakeholder Committee. Interior determined the Robledo and Las Uvas Mts Wilderness Study Areas, which lie partly on my ranch, are not suitable for Wilderness and recommended they be returned to multiple-use. The Broad Canyon area was found unsuitable for further study prior to 1991. Further, my entire ranch has strong potential for capture and conversion of flood waters to beneficial public use. S1689 would eliminate or severely diminish that potential.

The vote of the Stakeholder Committee and the thousands of employees and members of the 800 businesses and organizations which are members of the Coalition for Western Heritage and Open Space point to widespread opposition to S1689. We request that our community's serious concerns regarding grazing management, public access, national security, illegal immigration, human and drug smuggling, flood control and water capture be fully addressed before further consideration of this legislation.

Respectfully Submitted,

Tom Cooper

Tom Cooper, Rancher and former Chairman,
People for Preserving Our Western Heritage