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## PEOPLE FOR PRESERVING OUR WESTERN HERITAGE

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S.1689 – Organ Mountains Desert Peaks Wilderness Act  
Frequently Asked Questions / Fact Sheet

### **What is the history of this legislation?**

Senators Bingaman and Udall introduced the Organ Mountains Desert Peaks Wilderness Act in 2009.

Community concern caused the Senators to hold a field hearing in Las Cruces on 02/15/10, with testimony allowed from representatives the Senators selected. No representative of the law enforcement community was allowed to testify. Mr. John Hummer, as a representative of the Greater Las Cruces Chamber of Commerce, read a written testimony on behalf of the National Association of Retired Border Patrol Officers. Testimony from several participants, as well as other testimony mailed to the Senators, is available at [www.PeopleForWesternHeritage.com](http://www.PeopleForWesternHeritage.com).

In June of 2010, the Senators put forward a revised version of S.1689, with an additional 2 mile buffer along the southern border of the Potrillo Wilderness complex in southern Dona Ana County intended to “enhance” access for Border Patrol.

### **What qualifies an area for federal Wilderness designation?**

Wilderness is not simply “open space”. Aldo Leopold, a key individual in the history of the original Wilderness Act, reflected the original intent of the Wilderness Act when he wrote “*A wilderness should be big enough to absorb a two-week pack trip without crossing your own tracks.*”

#### **DEFINITION OF WILDERNESS**

Federally designated Wilderness must meet a very specific and detailed legislative definition. The definition from the Wilderness Act specifies:

*“A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain”.*

*“An area of wilderness is further defined to mean in this Act of an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man’s work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic or historical value.” (Public Law 88-577 (16 U.S.C.1131-1136))*

#### **PROPOSED AREAS DO NOT MEET WILDERNESS CRITERIA**

The proposed areas do NOT meet the criteria specified in the 1964 Wilderness Act. Man’s imprint is clearly evident throughout these areas. Roads are abundant in the Potrillos, along with fences, windmills, stock tanks, pipelines, buildings, corrals, and other improvements.

Man’s imprint can be seen in all of the proposed Wilderness areas. Man has been in this valley for 1000s of years with nomadic Indians, Onate settlements in 1598 and Anglo settlements following. Roads are abundant in the Potrillos, structures such as fences, windmills, roads buildings, corrals and other improvements.

## **What are the management restrictions imposed on Wilderness areas?**

The Wilderness *ideal* that is discussed and promoted can sound appealing, but the *reality* can be quite another matter. Although it may or may not have been the original intent of the Wilderness Act, the management by Federal agencies of Wilderness areas centers around the reduction or complete elimination of the presence and impact of man from the land.

Wilderness designation goes far beyond simply eliminating the possibility of development within the designated area. When land is designated under the 1964 Wilderness Act, stringent prohibitions and management requirements are put in effect on the designated area:

- No permanent roads
- No temporary roads
- No use of motorized vehicles or equipment
- No form of mechanical transport (including bicycles)
- No mechanized equipment
- No landing of aircraft
- No permanent improvements or structures
- No appropriation of funding

Items such as bicycles, game carts to transport game, hang gliders, and chainsaws are prohibited.

### **WILDERNESS STUDY AREA (WSA) MANAGEMENT**

Wilderness proponents often refer to WSAs as “temporary Wilderness” and state that the areas are “managed the same as Wilderness”. That is blatantly untrue.

WSAs are managed under the Interim Management Policy for Lands under Wilderness Review, Bureau of Land Management (BLM), 1979. This policy quotes Section 603(c) of the Federal Land Policy and Management Act of 1976 (FLPMA) to “manage the study areas so as to not impair their suitability for preservation as wilderness.” The lands are to be managed under the “non-impairment concept”, which states that “existing facilities/uses which did not disqualify the area from wilderness inventory may remain.”

This means that activities which were occurring at the time of WSA designation, such as routine border patrol operations, use of current roads, and routines maintenance of improvements by ranchers, could continue to take place until Congress acts to place the area into a Wilderness designation or release the area from WSA status.

Currently Border Patrol and Law Enforcement officers can freely enter into the Wilderness Study Areas located in Dona Ana County because they are not yet designated as Wilderness. But if and when the areas are designated Wilderness by Congress, then the management prohibitions go into effect.

## **What are the implications on border security?**

Wilderness designation will have a significant impact on many aspects of border security.

### **NM LIVESTOCK INSPECTORS ESCORTED BY ARMED GUARDS**

Beginning in 2010, New Mexico Department of Agriculture livestock inspectors are now accompanied by armed Sheriff's Deputies for security purposes, due to the increase in violence along the border.

## PROACTIVE SECURITY MEASURES RESTRICTED

Wilderness restrictions do not allow for the Border Patrol or Sheriff's Office to do routine (proactive) patrols in designated Wilderness areas. Sensors, radio transmitters, relays and microwave towers are not allowed. They may travel in Wilderness areas on foot or on horseback, unless it is deemed an emergency affecting the health and safety of persons within the Wilderness. Even then, use of motorized equipment requires significant levels of authorization, creating delays that can be dangerous.

## THE MEMORANDUM OF UNDERSTANDING (MOU)

There is a Memo of Understanding (MOU) between the U.S. Department of Homeland Security, U.S. Department of the Interior and U.S. Department of Agriculture that will allow non-emergency entry. A copy of this document is available on our website. However, this document has not been tested in New Mexico because there is not any designated Wilderness along the border.

It is important to understand that a MOU is not a binding document, and does not supersede the law. If an environmental group ever challenges the MOU for any reason, any judge would have no alternative but to throw the MOU out.

In reference to the MOU: *"The Department of Interior provided us with a memorandum of understanding between itself; the Department of Homeland Security (DHS), of which CBP (Border Patrol) is a component; and the Department of Agriculture (USDA) documenting the agreed approach to protecting federal lands along U.S. borders. Although CBP is ultimately responsible for protecting these areas, officials told us that certain legal, environmental, and cultural considerations limit options for enforcement. Our observations on the southern border showed a significant disparity between the large law enforcement presence on state lands in one state and what seemed to be a lack of law enforcement presence on federally managed lands."* U.S. Government Accountability Office (GAO) report, 9/27/2007 titled "Security Vulnerabilities at Unmanned and Unmonitored U.S. Border Locations"

## STATEMENTS BY BORDER SECURITY AUTHORITIES

Secretary of Homeland Security, Janet Napolitano, stated the following in a letter dated October 2, 2009 to the Ranking Member of the House Subcommittee on National Parks, Forests and Public Lands:

***"While the USBP recognized the importance and value of wilderness area designations, they can have a significant impact on USBP operations..."***

***"...along the southwest border it [Wilderness designation] can be detrimental to the most effective accomplishment of the [USBP] mission."***

Commissioner Alan Bersin, U.S. Customs and Border Protection, stated ***"...when wilderness designations are in enforcement areas, they can substantially affect the ability to conduct necessary daily operations and limit the construction of infrastructure."***

T.J. Bonner, president of the national Border Council, the union for Border Patrol agents, stated ***"Obviously, the impact of that policy [federal land designations such as Wilderness] is severe on our operations. When you can't drive in those areas, it makes it impossible to patrol and enforce the law, and it transforms it into a sanctuary for illegal aliens."***

## STATEMENTS BY GOVERNMENT ORGANIZATIONS, LAW ENFORCEMENT ORGANIZATIONS & OTHERS

***"The international border with Mexico is becoming of increasing concern to the U.S. Government due to an increase in dangerous illegal activities and an escalating trend in border violence."***

Press release from the Bureau of Land Management (BLM) titled “BLM Cautions Public Regarding Border Violence”, 4/9/2009

*“National Park Service officers are 12 times more likely to be killed or injured as a result of an assault than FBI agents.”* Public Employees for Environmental Responsibility

*“Congress has designated areas within some federal lands as wilderness under the Wilderness Act of 1964 and subsequent legislation, while the Fish and Wildlife Service has designated certain areas as critical habitat for endangered and threatened species under the Endangered Species Act. Federal law enforcement officers told us that these designations can hinder their efforts. For example, motorized vehicles must generally remain on designated roads in wilderness areas, and the Wilderness Act generally prohibits construction of permanent structures such as communications towers in wilderness areas.”* 2004 U.S. Government Accounting Office (GAO) report titled “Border Security – Agencies Need to Better Coordinate Their Strategies and Operations on Federal Lands”

*“The current effort to create Wilderness along the border in Dona Ana County and ultimately the expansion of such activities along the extended border is dangerous and ill conceived.”* Richard Hayes, retired Chief of Air Operations for the Border Patrol.

*“The smuggling organizations are very aware of where the protected lands are. They’re aware of where the [Border Patrol’s access] restrictions are, and tend to take advantage of them. They exploit the Wilderness areas.”* David Bemiller, Border Patrol Tucson Sector public-lands liaison

*“Our southern border is today more vulnerable to terrorist activities than at any other time in our National history. This is not the time to consider additional designations as ‘wilderness’. It may be appropriate at this time for our Country to repeal some previously approved Wilderness designations to insure the best possible chance for success in ongoing security activities.”* National Association of Former Border Patrol Officers testimony submitted via the Greater Las Cruces Chamber of Commerce at the 2/15/10 Las Cruces Field Hearing on S.1689

Much more is available on our website: [www.PeopleForWesternHeritage.com](http://www.PeopleForWesternHeritage.com)

## **DRUG & SMUGGLING CARTELS**

Cartel activity and violence is rapidly increasing. As of July 2010, at least 28,000 drug related murders have been reported in Mexico since 2006. July 2010 was the deadliest month yet, with a reported 1,234 killed.

## **TERRORIST THREAT**

Numerous reports have shown that a Hezbollah terrorist cell is operating among the drug cartels around the U.S.-Mexican border. OTM (Other Than Mexican) apprehensions along the southern border have been increasing, including hundreds from countries that sponsor terrorism. Government reports confirm that members of Hezbollah have crossed the southwest border.

## ***What are the characteristics of the Potrillos? Is there a risk of them becoming a smuggling corridor?***

### **WHAT IS A “CORRIDOR”?**

Smuggling organizations are well equipped, and possess an intelligence network that rivals the Border Patrol. These organizations are very adept at moving their activities along the border in response to law enforcement activities. They constantly seek the path of least resistance. Smuggling corridors are carefully chosen to provide the least chance of detection. Remote, isolated areas with minimal or no law enforcement presence are most desirable for smuggling operations. Smuggling organizations quickly scout, identify, occupy and utilize unguarded and unpatrolled border locations.

Anything that impedes the Border Patrol from proactively patrolling corridors automatically enables and enhances criminal activity.

Corridor characteristics include:

1. Restrictive federal land designations, such as Wilderness, that limits or prohibits effective law enforcement activities and provides safe havens for criminal operations.
2. East/west highway access to the north and the south of the area.
3. North/south mountain and drainage orientation to facilitate travel.
4. Mountains providing strategic points on both sides of lowland travel routes for posting lookouts and guards.
5. Immense, isolated and rural expanses of land.
6. Limited presence of American citizens with private property rights at risk.
7. Access to airports and railroads.

### THE POTRILLO CORRIDOR

The Potrillo Mountains region contains all of the geographic corridor characteristics. Interstate Highway 10 provides east/west access north of the proposed Wilderness, and NM State Highway 9 provides east/west access south of the proposed Wilderness. County Road B007/A017 provides north/south access east of the proposed Wilderness, and County Road 11 provides north/south access west of the proposed Wilderness. There are numerous rock roads crossing the Wilderness area to provide additional access. The vast majority of these roads would be closed to the public if S.1689 is passed. It is very unlikely that smuggling organizations would be deterred by the legislative closure of these roads. It is our understanding that law enforcement would have some “restricted” access.

There are currently 4 ranching families living in this region, constituting a very limited presence of resident American citizens.

Additionally, a transcontinental railroad runs along the eastern edge of the proposed Wilderness area, with traffic of roughly 80 trains per day.

The Deming, Las Cruces, Santa Teresa and El Paso airports are all in this general area.

The testimony of the National Association of Former Border Patrol Officers states *“The issues of the Potrillo Mountains complex are too varies and dangerous to consider Wilderness designation. Protection, yes... but not Wilderness. The border buffer that has been placed in the current legislation [S.1689] has been discounted by experts in border security.”*

If S.1689 is passed, the final characteristic of severely restrictive federal land management via federal Wilderness designation would be in place, creating a perfect smuggling corridor in the Potrillos. Cartels would fight for control of these areas, and **we would be inviting the dangers, difficulties and tragedies currently experienced in Arizona into our own back yard.**

According to the National Drug Intelligence Center Situation Report, the Mexican Drug Trafficking Organizations (DTOs) are already actively operating in New Mexico. They indicate that the presence of Mexican DTOs is identified in Las Cruces, Deming, Columbus and El Paso. The report contains the following statements:

*“Southwestern New Mexico--specifically Hidalgo, Luna, and Dona Ana Counties--shares a 180-mile border with Mexico. More than half the length of this border is desolate public land that contains innumerable footpaths, roads, and trails. These factors and minimal law enforcement coverage make the area an ideal smuggling corridor for drugs and other illicit goods and services...”*

*“Mexican DTOs that traditionally smuggle drugs through the El Paso/Juárez plaza will most likely seek alternative routes to avoid confrontations with Mexican Government counterdrug forces and rival DTOs by shifting some of their smuggling activities to the U.S.-Mexico border in New Mexico. As a result, it is quite likely that drug-related violence in U.S. communities along the border in New Mexico will increase as law enforcement officials and rival traffickers respond to the shifts in smuggling routes.”*

## **Are the modifications to S.1689 adequate to address the border security concerns?**

### **A 5 MILE BUFFER IS INADEQUATE**

The National Association of Former Border Patrol Officers testimony submitted to Senators Bingaman and Udall via the Greater Las Cruces Chamber of Commerce contains the following statements:

*“Designated federal Wilderness ... is causative in the establishment and expansion of entry corridors.”*

*“The Potrillo Mountain complex has the same characteristic of threat potential to the U.S. as does Organ Pipe Cactus National Monument, the most dangerous park in the system.”*

*“CBP cannot be expected to interdict and apprehend illegals within the narrow strip from the border north to Highway 9, nor can they be expected to do the same thing in the same narrow corridor being considered north of Highway 9”.*

NAFBPO states “The sponsors of S.1689 determines that it was appropriate to only provide for a small fraction of enforcement capabilities on public lands, compared to those afforded by federal statute on private lands.” By federal law, the Border Patrol has the legal authority to enter PRIVATE lands anywhere within 25 miles of the border. The buffer zone in S.1689 amounts to only 20% of the authority currently deemed appropriate by Congress for the protection of private lands.

## **What can we learn from the situation they are facing in Arizona Wilderness areas that are close to the border?**

A large portion of the Arizona border is federally controlled land. Portions of five federally managed lands in Arizona, including two designated National Monuments, continue to post travel warnings or be closed to Americans because of the dangers of human and drug trafficking along the Mexican Border. Roughly 3,500 acres of Buenos Aires National Wildlife Refuge have been closed since October of 2006. Federal officials indicate they have no plans to reopen the area. Organ Pipe Cactus National Monument, which shares a 32-mile stretch of the border with Mexico, has a warning on their website.

Below are some of the current warnings for these federally managed areas.

*“Due to an increase in illegal border activity, all backcountry areas are closed indefinitely to both hiking and overnight camping.”* National Park Service (NPS) website for Organ Pipe Cactus National Monument, Arizona

*“Smuggling and/or illegal entry is common in this area due to the proximity of the international border. Please be aware of our surroundings at all times and do not travel alone in remote areas.”* National Park Service warning sign at Coronado National Forest, Arizona

*“Unit 36B is a corridor for the trafficking of undocumented aliens (UDAs) and drugs. Hunters will see the trails and trash left by these people. Hunters are urged to use caution*

*when hunting and camping in 36B or any of the other border units. It is advisable to use some sort of visible anti-theft device on your vehicle, for vehicle thefts have increased the past two years. Having a group of UDSs walk through a hunting area may negatively impact your hunt.”* Arizona Game & Fish website for Buenos Aires National Wildlife Refuge, Arizona

The correlation between federal land management policy and the devastation and dangers our Arizona neighbors are experiencing is undeniable. It would be foolish to establish the same conditions in New Mexico that have been a major factor in creating the lawless environment they are facing in Arizona.

### ***What are the implications of a Wilderness designation on flood control, water capture and water management?***

Managing water resources in the arid southwest is a significant concern for all residents of this area. Federal Wilderness designation restricts structures, including dams, diversions, and water holding facilities. Prohibition of mechanized and motorized equipment will hamper maintenance of existing dams in the designated Wilderness.

Management of flood waters involves maintenance of existing dams and control structures, implementation and maintenance of water monitoring equipment, and construction of new dams, diversions and water holding facilities. Federal Wilderness designation prohibits these activities, unless waivers and concessions are clearly stipulated. Even then, conducting these activities is frequently burdened with significant and time consuming additional red tape in the form of studies, permits, inspections and other administrative activity.

Mr. Gary Esslinger, Treasurer/Manager of Elephant Butte Irrigation District states *“We urge everyone to take into consideration the dynamics of protecting future watershed resources without imposing such restrictions in these designated Wilderness areas that the water resources cannot be used appropriately.”* Additionally, Mr. Esslinger said *“The need to plan for future flood control and appurtenances in our watershed during the summer monsoon season could have a great impact on future wilderness designated sites and we could miss the opportunity to reuse storm runoff as a vital resource to recharge our aquifers and diminish the need to drain down our reservoir. ... it would be to everyone's advantage to find a way to preserve and protect our water resources rather than to deny access to areas where such flood control improvements could be very beneficial.”* In testimony submitted at the Las Cruces Field Hearing, Mr. Esslinger stated *“...flood control is not a stagnant process. It is clear that as southern New Mexico continues to grow, we will need more flood control structures...”*

The negative impacts of a Wilderness designation on the ability to appropriately manage our water resources are a significant concern for everyone in our community.

### ***What are the realistic economic impacts of Wilderness designation for our community?***

Wilderness advocates imply that the proposed Wilderness designations in Dona Ana County would improve the local economic situation. They refer to a 2006 study conducted by the Sonoran Institute from Tucson, Arizona title *“The Potential Economic Impacts of Wilderness in Dona Ana County”*. The study reported when Wilderness Study Areas (WSA) were designated in Dona Ana County in 1980 that employment, per capita income, personal income and population all increased. The study attempted to correlate these factors to the designation of WSAs. However, careful reading of the findings states that the correlation does not guarantee any economic prosperity in Dona Ana County automatically resulting a designation of Wilderness. The fact that the WSAs were designated in 1980 had nothing to do with the improved economic activity of the past 30 years. One could just as easily correlate that in 1980 Ronald Reagan was elected president, New Mexico penitentiary riots took place,

Mt. Saint Helens erupted and the National Enquirer reported that the Roswell UFO incident really took place.

If economic prosperity results from Wilderness designation, then cities like Reserve and Silver City would be thriving, since they are so near the Gila Wilderness, the first Wilderness designated in the U.S.

### **What about state land within the proposed Wilderness areas?**

Sections of state land exist within the areas slated for Wilderness designation. This land currently is producing revenue for the State Land Trust, which provides funding for education in New Mexico.

If the ability of the state land to produce revenue is negatively affected by Wilderness designation, it will have a direct impact on schools and education.

### **What impacts will there be on access to these areas?**

The clear intent of the Wilderness Act is to eliminate motorized access and associated human impacts within designated Wilderness areas.

Currently, access is limited on 54% of the lands in Dona Ana County – U.S. Department of Defense, U.S. Fish & Wildlife, U.S. Department of Agriculture, State of New Mexico, NMSU, U.S. Bureau of Reclamation, U.S. National Park Service and private land. Citizens current have access to 46% of Bureau of Land Management (BLM) lands.

The proposed Wilderness would limit access on over 562 square miles of BLM land. If Wilderness designation is placed on the proposed areas, only 31% of the land in the county will be available for unhindered access by the public.

### **What are the impacts for search & rescue operations and fire fighting?**

The prohibited use of motorized vehicles impedes efforts for search & rescue, and places unnecessary burdens on fire fighting personnel. At best, these operations are delayed because of the necessity of approvals to enter the area with any form of motorized vehicle or mechanized equipment. The constant threat of litigation from the environmental community creates a challenging and difficult environment for these professionals.

Debra Russell, President of the Dona Ana County Sheriff's Posse, writes *"There are two issues that we are immediately concerned about regarding the designation of Wilderness status in our County. The first is access to open spaces heretofore unrestricted. The roads and points of access into the present WSA's designated bounds have become and remain immediate access for our activities. As such, we believe they are legal right-of-ways that must be permanently and without qualification left open to access. Secondly, the Homeland Security demands that are increasing annually have huge implications especially in the West Potrillo area of the proposal. If access is closed to the West Potrillo WSA, we believe the only observers of the closure to mechanized access will be the drug runners and coyotes that will welcome the presence of a huge chunk of open space adjacent to the border."*

The Dona Ana County Sheriff's Posse position is: *"Our organization does not and cannot support the current scheme of carving out Wilderness in Dona Ana County for the stated reasons presented and pushed by advocates who knowingly or unknowingly disregard the qualification of true Wilderness designation according to our understanding of the Wilderness Act."*

Fire fighting challenges in other designated Wilderness areas are in the news almost daily. In many cases, fire prevention activities are completely prohibited. This results in disastrous fires which kill wildlife, destroy property and sometimes take human lives.

### ***What impacts will there be to ranching?***

Federal Wilderness designation causes management agencies to prioritize the management plan for an area differently when the area is no longer in the multiple-use designation. Areas designated as Wilderness must, by law, be managed with priority given to the “Wilderness characteristics and values”, and grazing is identified as a “special provision” and not a primary allowed use in Wilderness areas.

Wilderness designations in other areas have resulted in substantial hardships for ranchers, due to the systematically applied administrative and policy decisions that result in increased burdens and cost to daily ranching operations. In practice, the language of the original grazing provisions and subsequent “grazing guidelines” has failed to provide a reasonable level of protection for the ranching industry. As a result, economic viability is diminished, resulting in many ranching families losing their business, their livelihood and their heritage.

The reality is that grazing is technically allowed in designated Wilderness areas, but only if the rancher is content with and able to operate using the methods of the 19<sup>th</sup> century. This can be better understood by contemplating the response of any business owner today being asked to operate without the use of vehicles, telephones, and computers. It may be possible, but it is neither practical or realistic.

During the City of Las Cruces stakeholder meetings, Mr. Ed Roberson, Las Cruces BLM District Manager at the time, stated “The ranchers are afraid of being ‘eaten’ one bite at a time.” This is a very accurate assessment of the realities of the situation.

### ***Are there impacts on conservation, land stewardship and wildlife management?***

The limitations placed on the activities allowed in areas designated as Wilderness apply to ALL activities, including positive and beneficial conservation efforts for land and wildlife. Wilderness restrictions and limitations impose a “hands-off” philosophy on stewardship, effectively eliminating beneficial conservation efforts. Activities which help maintain rangeland health and assist wildlife are obstructed, or at best made much more difficult and costly.

Bob Alexander, Certified Professional in Rangeland Management and retired BLM Rangeland Management Specialist, states *“It is now recognized by rangeland ecological science that rangelands often go through thresholds and they will not return to the historic vegetation conditions without significant physical management actions. ... Keeping areas that do not have the historic vegetation out of designated Wilderness and Wilderness Study Area status is necessary because it is likely that applying the required herbicides and mechanical practices will not be allowed in areas designated as Wilderness or Wilderness Study Areas. Thus, the areas that are not in the historic vegetation condition would be doomed to remain without historic vegetation if put under Wilderness or Wilderness Study Area designation”*.

Southern Arizona Sportsmen's Alliance member Larry Audsley stated *“Only careless thinking or lack of familiarity with existing Forest Service policies could allow anyone to believe a wilderness designation is really about preventing urban sprawl, all-terrain vehicle abuse, power lines, development of National Forest lands or proliferation of forest roads. These issues can be better addressed through other means that would yield fewer unintended consequences.”* He also states that *“Wildlife advocates should be especially concerned that lands managed under a wilderness designation give priority to the human wilderness experience above the needs of wildlife.”*

The Arizona Game & Fish Department wrote a document titled "Historical Perspective of Wildlife Management in Wilderness", which was intended to show the difficulty in managing wildlife in areas that have special designations, such as wilderness, monuments, etc. The department states "*The Arizona Game and Fish Department has experienced restrictions resulting from Special Land Designations including project delays, increased costs, increased man-hours, etc. This ultimately leads to decreased efficiency in protecting and managing Arizona's wildlife resources. ... From a project planning standpoint, it is extremely difficult to second-guess a particular reaction to implementing a study, developing or maintaining a wildlife project or requesting permission for emergency access to a Wilderness area.*"

The Wilderness Act is intended to severely restrict human activity, and effectively results in a legally mandated neglect of stewardship in the area.

### ***Are there viable alternatives to protect and preserve the land without the ramifications of federal Wilderness designation?***

Most people living in our community cherish our open space, and are in agreement that they would like to see protection of some of the open space in our county from development. The logical question is "What is the best tool to appropriately protect and manage these areas?" There are opposing views on how to best accomplish this worthwhile goal.

It is important to understand that most of these areas proposed for Wilderness designation are currently identified as WSAs, which guarantees they cannot be sold for development.

There are numerous administrative and legislative alternatives that can be utilized to protect the open space and appropriately manage specific resources, while protecting existing property rights, providing unencumbered access for law enforcement activities, providing reasonable flexibility to land management agencies and preserving access to the general public for recreation and enjoyment.

Wilderness organizations are in the business of advocating and lobbying for federal Wilderness designation in new areas. They have been very successful. There are currently nearly 109.5 MILLION acres of land in 756 federally designated Wilderness areas in the U.S. The existing Wilderness acreage in the U.S. is one million acres *larger* than the states of California, Maryland and Delaware *combined*. The current federal Wilderness acreage is larger than every state except Texas and Alaska.

### ***Protecting the land and natural resources does NOT require a designation of Wilderness.***

People for Preserving Our Western Heritage supports a meaningful balance between environmental protection, conservation, recreation, community development, water resource management, law enforcement and respect for private property rights.

### ***What is the position of the Greater Las Cruces Chamber of Commerce, and what organizations support that position?***

The Chamber supports complete protection of the Organ Mountains WSA and NCA as detailed in S.1689.

After an extensive investigation into the issues, the Chamber concludes there are two factors that must be recognized as being fundamental to the community. Those are national security and the freedom to grow the local community.

The Chamber supports S.1689 *with the following exceptions*:

1. Add language in the legislation that states flood control devices in the Organ Mountains NCA are allowed to be accessed, installed and modified as the City of Las Cruces growth demands.
2. The entire Potrillo Mountain Complex be removed from Wilderness consideration and be designated an NCA with the need to incorporate management strategy that considers input from all public agencies and private property owners. The GLCCCC STRONGLY believes that National Security concerns prevail beyond any other rationale when it comes to assessing areas adjacent to or in close proximity to the border. The importance of the national security issue must be elevated into the management plan for the area that allows for full and unencumbered access by the Border Patrol and other law enforcement. This includes the Aden Lava Flow Area, the Cinder Cone Area, the Whitethorn Area and the East and West Potrillos.
3. The removal of the entire Broad Canyon area from any alternative designation status. This is consistent with the DOI recommendation. GLCCC has reviewed this portion of the legislation in great detail and the impact of permanent withdrawal of this area poses great risk to the long term well being of the area. BROAD CANYON IS TOO IMPORTANT TO THE ECONOMIC WELL BEING OF THE COUNTY AND THE REGION TO IMPOSE ACCESS AND PLANNING RESTRICTIONS.
4. The Grazing language in section 4 of S.1689 will do great damage to the ranching industry. The GLCCC has reviewed and endorses the language presented as Exhibit D in Dr. Schickedanz's testimony. We do not want to lose these historical, family owned ranches which have meant so much to the Mesilla Valley. We must all be aware that in 2007 the United States produced less than half of its food supply for the first time. Congressional action cannot be imposed that accelerates that alarming statistic.

The **BUILDING INDUSTRY ASSOCIATION OF SOUTHERN NM** and the **LAS CRUCES ASSOCIATION OF REALTORS (LCAR)** have both announced support for the Greater Las Cruces Chamber of Commerce.

### ***What organizations and professionals support the PFPOWH position?***

#### **ORGANIZATIONS (ALPHABETICALLY):**

Americans for Preservation of Western Environment  
 Building Industry Association of Southern NM  
 Citizens for Balanced Use  
 Coalition of Arizona/New Mexico Counties for Stable Economic Growth  
 Desert Mountain 4 Wheel Drive Club  
 Dona Ana County Farm & Livestock Bureau  
 Elephant Butte Irrigation District  
 Farm Credit of New Mexico  
 Gila Livestock Growers  
 Greater Las Cruces Chamber of Commerce  
 Hatch Valley Chamber of Commerce  
 Hispanic Farmers and Ranchers of America  
 La Union Soil and Water Conservation District  
 Las Cruces Four Wheel Drive Club  
 Mesilla Valley Cow Belles  
 Mesilla Valley Sportsmen's Alliance  
 National Association of Former Border Patrol Officers  
 New Mexico Cattle Growers Association  
 New Mexico Department of Agriculture  
 New Mexico Farm & Livestock Bureau  
 New Mexico Federal Lands Council

New Mexico Wool Growers, Inc.  
 Paragon Foundation, Inc.  
 People for Prosperity  
 Village of Hatch (Resolution 732)

**PROFESSIONAL ENDORSEMENTS:**

P. Robert Alexander	Rangeland Management Specialist, BLM New Mexico State Office (1992-2005); Area Manager, BLM Las Cruces, New Mexico District (1986-1992)
Christopher Allison	Ph.D., Texas A&M; NMSU, Department Head, Extension Animal Sciences & Natural Resources, Range Management Specialist, Range Improvement Task Force
William B. Conroy	Ph.D., Syracuse University; NMSU, President Emeritus
Frank DuBois	New Mexico Secretary of Agriculture 1987-2003; Deputy Assistant Secretary of Interior for Land & Water 1981-1983; Legislative Assistant to U.S. Senator Pete V. Domenici 1974-1979
John Fowler	Ph.D., Iowa State University; NMSU, Coordinator, Range Improvement Task Force
Larry Foster	Ph.D., Colorado State University ; NMSU, Professor and Extension Beef Cattle Specialist (Retired), Cattle Rancher
I. Miley Gonzales	Ph.D., Penn State University; NM Secretary of Agriculture
Jerry Holechek	Ph.D., Oregon State University; NMSU, Professor, Animal & Range Science, Western Range Consultant
Grant Kinzer	Ph.D., Oklahoma State University ; NMSU, Former Department Head, Entomology & Plant Pathology, Cattle Rancher
Bobby J. Rankin	Ph.D., Oklahoma State University; NMSU, Emeritus Department Head, Animal & Range Science
William L. Rice	Deputy Chief US Forest Service, Retired; Deputy Chief of US Natural Resources Conservation Services, Retired
Jerry G. Schickedanz	Ph.D., University of Arizona ; NMSU, Dean Emeritus, College of Agriculture and Home Economics, Range Management
Gerald W. Thomas	Ph.D., Texas A&M; NMSU, President Emeritus
Dr. John Wenzel, DVM	DVM Kansas State University, NMSU Extension Veterinarian and private practitioner

**BUSINESSES:**

See our website for a list of all 800+ businesses and organizations supporting an alternative to federal Wilderness designation.