

**Statement of  
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U.S. Department of the Interior, Bureau of Land Management  
Senate Energy and Natural Resources Committee  
S. 3049, Organ Mountains-Desert Peaks Conservation Act  
September 22, 2016**

Thank you for inviting the Bureau of Land Management (BLM) to testify on S. 3049, the Organ Mountains-Desert Peaks Conservation Act. The BLM supports S. 3049, which designates eight new wilderness areas and includes direction for future management on additional public lands in Doña Ana County, New Mexico. We would like the opportunity to work further with the sponsors and Subcommittee on certain aspects of the bill that we believe would facilitate implementation and improve the manageability of the areas that would be designated by S. 3049.

**Background**

Doña Ana County is many things – the county with the second highest population in New Mexico; home to Las Cruces, one of the fastest growing cities in the country; and a land of amazing beauty. Towering mountain ranges, dramatic deserts, and fertile valleys characterize this corner of the Land of Enchantment. The Organ Mountains, east of the city of Las Cruces, dominate the landscape. Characterized by steep, angular, barren rock outcroppings, the Organ Mountains rise to nearly 9,000 feet in elevation and extend for 20 miles, running generally north and south. This high-desert landscape within the Chihuahuah Desert contains a multitude of biological zones – mixed desert shrubs and grasslands in the lowlands ascending to pinon and juniper woodlands, and finally to ponderosa pines at the highest elevations. Consequently, the area is home to a high diversity of animal life, including peregrine falcons and other raptors, as well as mountain lions and other mammals. Abundant prehistoric cultural sites, dating back 8,000 years, dot the landscape. The Organ Mountains are a popular recreation area, with multiple hiking trails, a popular campground, and opportunities for hunting, mountain biking, and other dispersed recreation.

On the west side of Las Cruces are the mountain ranges and peaks of the Robledo Mountains and Sierra de las Uvas, which make up the Desert Peaks area. These desert landscapes are characterized by numerous mesas and buttes interspersed with deep canyons and arroyos. Mule deer, mountain lions, and golden eagles and other raptors are attracted to this varied landscape. Prehistoric cultural sites of the classic Mimbres and El Paso phases are sprinkled throughout this region along with historic sites associated with more recent settlements. This area is also home to the unusual Night-blooming Cereus – seeing the one-night-a-year bloom in its natural surroundings is a rare delight. Finally, the area provides varied dispersed recreational opportunities.

To the southwest of Las Cruces, near the Mexican border, is the Potrillo Mountains Complex. The geologic genesis of these mountains is different from that of the Organ Mountains and Desert Peaks area. Cinder cones, volcanic craters, basalt lava flows, and talus slopes characterize this corner of Doña Ana County. These lands are famous for their abundant wildlife and contain significant fossil resources. A well-preserved giant ground sloth skeleton, now

housed at Yale University, was discovered in this area. The sheer breadth of these lands and their open, expansive vistas offer remarkable opportunities for solitude.

The Department applauds the efforts of Senators Udall and Heinrich, former Senator Bingaman, and a wide range of local governments, communities, user groups, conservationists, and Federal agencies to develop this consensus proposal to protect all of these special areas.

### **S. 3049**

S. 3049 designates eight wilderness areas in Doña Ana County, New Mexico, which would be included in BLM's National Conservation Lands. The legislation also releases nearly 31,000 acres from wilderness study area (WSA) status, provides for the management and future transfer of land from the Department of the Defense (DOD) to the BLM, withdraws certain additional lands from disposal, mining, and mineral leasing, and includes provisions related to border security, the management plan for the Organ Mountains-Desert Peaks National Monument (Monument), and acquisition of specified State trust land adjacent to the Desert Peaks area of the Monument.

### ***Wilderness***

Section 3 of S. 3049 designates eight wilderness areas totaling approximately 241,000 acres. The BLM supports the proposed wilderness designations in S. 3049. We would like the opportunity to work with the sponsors on minor and technical amendments to this section, including boundary modifications for enhanced manageability, to include certain adjacent lands with significant wilderness characteristics, and to provide access to public trails and private inholdings. The BLM is also aware that dispersed and occasional paragliding currently occurs within one of the proposed wildernesses. As a result, we would like to work with the sponsors and Subcommittee on amendments to the paragliding management language that aid implementation and ensure consistency with the Wilderness Act.

The new wilderness designations are in three distinct areas of the Monument. First, within the Organ Mountains area in eastern Doña Ana County, approximately 19,200 acres would be designated as the Organ Mountains Wilderness. The bill requires that the boundary for this wilderness be 400 feet from the centerline of Dripping Springs Road.

Within the Desert Peaks area in northwestern Doña Ana County, the bill would designate the approximately 13,900-acre Broad Canyon Wilderness, the approximately 16,800-acre Robledo Mountains Wilderness, and the approximately 11,100-acre Sierra de las Uvas Wilderness. Within the proposed Robledo Mountains Wilderness, a small corridor of approximately 100 acres has been designated as "potential wilderness" by section 3(1) of S. 3049. The lands included in this potential wilderness contain a communications right-of-way, and it is our understanding that it is the intention of the sponsors to allow the continued use of this site by the current lessees. However, in the event that the communications right-of-way is relinquished, these lands would be reclaimed and become part of the wilderness area. We support this provision.

Finally, within the Potrillo Mountains area in the southwest corner of Doña Ana County, the bill would designate the approximately 28,000-acre Aden Lava Flow Wilderness, the approximately

17,000-acre Cinder Cone Wilderness, the approximately 126,000-acre Potrillo Mountains Wilderness, and the approximately 9,600-acre Whitethorn Wilderness. Both the Potrillo Mountains Wilderness and Whitethorn Wilderness extend into adjacent Luna County.

Much of the lands proposed for wilderness designation have been historically grazed by domestic livestock, and grazing continues today. Many of BLM's existing wilderness areas throughout the West are host to livestock grazing, which is compatible with these designations. This use will continue within the wildernesses designated by S. 3049.

### ***Fillmore Canyon***

Section 3(k)(4) of the bill authorizes hunting, hiking, wildlife viewing, camping, and other outdoor recreational activities on approximately 2,050 acres of land, which is currently part of the Army's Fort Bliss and includes the dramatic and scenic Fillmore Canyon as well as the western slopes of Organ Peak and Ice Canyon. This section requires the DOD to develop an outdoor recreation plan for the area that is consistent with its primary military mission and permits the DOD to close all or a portion of the area to protect public or military member safety. In the event that the DOD determines that military training capabilities, personal safety, and installation security would not be hindered, the agency shall transfer administrative jurisdiction of the area to the BLM. After such a transfer, the bill withdraws the area from the public land, mining, and mineral leasing laws. At the DOD's request, the BLM would be required to enter into a Memorandum of Understanding (MOU) providing for the conduct of military training within the area and, to the maximum extent practicable, for the protection of natural, historic, and cultural resources. We would welcome these lands into BLM's National System of Public Lands and would like to work with the sponsors and the Department of the Army on language enhancing implementation of this section and ensuring that any lands transferred to the BLM are incorporated into the Monument.

### ***Additional Withdrawals***

Section 3(k) of the legislation provides for the withdrawal of two parcels of BLM-managed lands from the public land, mining, and mineral leasing laws. The parcel designated as "Parcel C" is approximately 1,300 acres of BLM-managed lands on the eastern outskirts of Las Cruces. This parcel is a popular hiking and mountain biking site and provides easy access to the peak of the Tortugas Mountains. From here, visitors can take in spectacular views of Las Cruces and the Rio Grande Valley. We understand that the sponsors' goal is to ensure that these lands are preserved for continued recreational use by Las Cruces residents. The legislation provides for a possible lease of these lands to a governmental or nonprofit agency under the Recreation and Public Purposes Act. The larger, 6,500-acre parcel, designated as "Parcel B," lies on the southern end of the Organ Mountains area of the Monument. It is our understanding that the sponsors considered adding this parcel to the Monument because of important resource values. However, a multitude of current uses make inclusion of this parcel in the Monument inconsistent with the purposes established for the Monument. Therefore, the limited withdrawal of the parcel will better serve to protect the resources within this area without negatively affecting the current uses of the area. The BLM supports the withdrawal of both of these parcels, but would like to work with the sponsors on language accommodating potential maintenance of and improvements to State Route 404.

### ***Border Security***

In order to provide the greatest flexibility to the Department of Homeland Security and other law enforcement agencies, the bill includes a number of provisions to facilitate and improve border security. First, the legislation releases over 28,000 acres from WSA status along the southern boundary of the proposed Potrillo Mountains Wilderness. Within an approximately 16,500-acre area along that southern border, designated as “Parcel A”, the bill charges the Secretary with protecting the wilderness character, to the extent practicable, while at the same time allowing for the installation of communications and surveillance facilities that may be necessary for law enforcement and border security purposes. Finally, in order to provide additional flexibility to law enforcement personnel, the bill keeps open for administrative and law enforcement uses only an east-west route bisecting the Potrillo Mountains Wilderness. The BLM would like to work with the sponsors on language ensuring that a small portion of the existing West Potrillo Mountains WSA extending into Luna County that is not otherwise designated by this bill is also released from WSA status. We also recommend that management for wilderness characteristics in this area be accomplished through the land use planning process.

### ***Monument Management Plan and Land Exchange***

Section 5(a) of the bill requires that the Monument management plan include a watershed health assessment to identify opportunities for watershed restoration. The BLM, along with many partners, has undertaken restoration efforts on nearly two million acres in New Mexico, with the goal of restoring grasslands, woodlands, and riparian areas to their original healthy conditions. The BLM will continue to implement appropriate land restoration activities that will benefit watershed and wildlife health.

Section 5(c) of S. 3049 requires the Secretary, within 18 months, to “attempt to enter into an agreement” with the Commissioner of Public Lands of New Mexico to exchange approximately 11,000 acres of State trust land adjacent to the Desert Peaks area of the Monument to the BLM and an unspecified acreage of BLM-managed public lands to the State. The BLM-managed lands to be exchanged to the State would be jointly identified by the Secretary and Commissioner of Public Lands of New Mexico. While the BLM appreciates that the land exchange includes public interest determinations, complete environmental and cultural review, standard appraisals, and equalization of values, we believe this language could inadvertently affect land exchanges elsewhere in New Mexico where significant biological, cultural, and recreational values are present. The BLM would like the opportunity to work with the sponsors and Subcommittee on time frames and language ensuring that the BLM retains the flexibility to accomplish other important land exchanges.

### **Conclusion**

The BLM appreciates the sponsors’ years of extensive public outreach and hard work on S. 3049 and supports the bill. We have a number of substantive as well as minor and technical modifications to recommend, and we look forward to continuing to work with the sponsors and the Committee to address those issues as this bill moves through the legislative process.