

**Statement of
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**Senate Committee on Energy & Natural Resources
Subcommittee on Public Lands, Forests, and Mining
S. 182, Pecos Watershed Protection Act**

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Thank you for the opportunity to testify on S. 182, the Pecos Watershed Protection Act, which would withdraw approximately 166,600 acres of Federal land located near Pecos, New Mexico, from entry, appropriation, or disposal under the public land laws; location, entry, and patent under the mining laws; and disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

The lands proposed for withdrawal include approximately 165,000 acres managed by the U.S. Forest Service (USFS) and 1,600 acres managed by the Bureau of Land Management (BLM). While the BLM manages the subsurface Federal mineral estate, it defers to surface management agencies regarding potential development activities on Federal lands not managed by the BLM.

On January 27, 2021, President Biden signed Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*, which launched a government-wide effort to confront climate change and restore balance on public lands and waters. The President's directive recognizes the opportunities America's lands and waters offer and outlines a historic and ambitious challenge to the nation to conserve at least 30 percent of our lands and waters by 2030. The Executive Order also commits to ensuring that economic and environmental justice are key considerations in how we govern. S. 182 aligns with the Administration's conservation and environmental justice goals and the BLM supports the bill.

Background – Upper Pecos Watershed

The Pecos River in northern New Mexico originates in the Santa Fe National Forest's Pecos Wilderness within the Sangre de Cristo Mountains. The river flows through a series of reservoirs and dams for over 926 miles before becoming part of the Rio Grande in Texas. In 1990, over 20 miles of the Pecos River were designated for protection under the Wild and Scenic River Act from its headwaters to the confluence with Holy Ghost Creek.

The lands proposed for withdrawal under S. 182 surround the Village of Pecos, New Mexico, and are within and adjacent to the Santa Fe National Forest. Approximately 1,600 acres of BLM-managed lands within the proposed withdrawal area are managed as multiple use and are not identified for disposal, as per the BLM's Taos Resource Management Plan. The BLM parcels included in the bill consist of upland areas containing juniper, piñon, and Gambel oak. These areas are considered critical summer range for big game species such as elk. The area offers

abundant recreational activities, including hunting, fishing, camping, hiking, and off-highway vehicle use, and includes three active grazing allotments. There are no active or pending mining claims on the BLM-managed lands. There is active mineral exploration on mining claims on approximately 3,300 acres within the entire withdrawal area, of which approximately 1,500 have been located since 1979.

Various local stakeholders have worked together to take an active role in restoring the Upper Pecos Watershed. In April 2020, a broad coalition of stakeholders, including the New Mexico Acequia Association, San Miguel County, the Village of Pecos, the Upper Pecos Watershed Association, and local farmers submitted a petition to designate the Pecos River and its tributaries in the Upper Pecos Watershed as Outstanding National Resource Waters (ONRWs) under the Federal Clean Water Act. This designation would provide the highest level of protection against degradation that can be afforded for surface waters under the State of New Mexico's water quality standards, while allowing traditional agricultural uses.

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S. 182 would withdraw, subject to valid existing rights, approximately 165,000 acres of USFS-managed lands and approximately 1,600 acres of BLM-managed lands from operation of the public land and mining laws, and all laws pertaining to mineral and geothermal leasing or mineral materials.

The BLM recognizes the importance of locally crafted recreation and conservation areas on public lands and waters and believes they can yield immense economic benefits. The BLM believes the most effective and enduring conservation strategies are those reflecting the priorities, needs, and perspectives of the families and communities that know, live, work, and care for the lands and waters. While the BLM notes S.182 would withdraw known mineral resources, we understand the value of safeguarding the Pecos Watershed for present and future generations and addressing historic environmental and economic injustices.

Conclusion

The BLM appreciates the interest of the sponsor and the Subcommittee in advancing this important conservation initiative. This legislation will protect the Pecos watershed's irreplaceable values and supports the President's efforts to conserve our nation's lands and waters. Thank you again for the opportunity to provide testimony on S. 182.