

**Statement of  
Carl Rountree, Assistant Director  
National Landscape Conservation System and Community Partnerships  
Bureau of Land Management  
Department of the Interior  
House Natural Resources Committee  
Subcommittee on Public Lands and Environmental Regulation  
H.R. 995, Organ Mountains National Monument Establishment Act  
May 9, 2013**

Thank you for inviting the Department of the Interior to testify on H.R. 995, the Organ Mountains National Monument Establishment Act. The Department of the Interior strongly supports the protection and conservation of the Organ Mountains in southern New Mexico. This area is a national treasure deserving of the protections that come with designation as a National Monument. During the 112<sup>th</sup> Congress, the Department testified in support of S. 1024, the Organ Mountains—Doña Ana County Conservation and Protection Act, before the Senate Energy and Natural Resources Committee. S. 1024 provided for the designation of the Organ Mountains as a National Conservation Area (NCA) as well as a number of other conservation designations in Doña Ana County, New Mexico. The Department recommends a number of changes to H.R. 995, so that we can likewise support this bill.

**Background**

The Organ Mountains lie to the east of Las Cruces, New Mexico, dominating the landscape as they rise to over 9,000 feet in elevation. Running generally north-south for 20 miles, the steep, needle-like spires resemble the pipes of an organ and are an iconic fixture of life in southern New Mexico. This Chihuahuan Desert landscape of rocky peaks, narrow canyons, and open woodlands contain a multitude of biological zones, from mixed desert shrubs and grasslands in the lowlands, ascending to Alligator juniper, gray oak, mountain mahogany and sotol, and finally to ponderosa pines at the highest elevations. Consequently, the area is home to a high diversity of plant and animal life, and excellent wildlife viewing opportunities are present in the area. Visitors frequently see golden eagles, red-tailed hawks, peregrine falcons, Gambel's quail, desert mule deer, coyote, cottontail, and collared lizards. Mountain lions and other predators are also present, but less frequently observed.

There are six endemic wildflower species, including the Organ Mountains evening primrose. Seasonal springs and streams occur in the canyon bottoms, with a few perennial springs that support riparian habitats.

The Organ Mountains are a popular recreation area, with multiple hiking trails, a campground, and opportunities for hunting, mountain biking, and other dispersed recreation. There are several developed recreation areas within the Organ Mountains, including the Dripping Springs Natural Area (formerly known as the Cox Ranch) noted for its "weeping walls;" the Aguirre Spring Campground, nestled at the base of the spectacular needle-like spires of the Organ Mountains; the Soledad Canyon Day Use Area; and many miles of hiking, horseback riding, and mountain biking trails.

## **H.R. 995**

H.R. 995 would designate 54,800 acres of BLM-managed public land as the Organ Mountains National Monument. Each of the National Monuments and NCAs designated by Congress and managed by the Bureau of Land Management is unique. However, these designations typically have certain critical elements in common, including withdrawal from the public land, mining, and mineral leasing laws; off-highway vehicle use limitations; and language that charges the Secretary of the Interior with allowing only those uses that further the conservation purposes for which the unit is established. Furthermore, these Congressional designations should not diminish the protections that currently apply to the lands.

Most of these standard provisions are included in H.R. 995; however there are provisions that require amendment before the Department could support the legislation. Generally, the “purposes” section of a National Monument or NCA designation establishes the conservation goals for the unit. In this bill, the purpose statement for H.R. 995 includes two “resources” that are undefined and unnecessary for the conservation of the area. Specifically, in section 5, both “livestock” and “traditional” are listed as resources to be conserved, protected, and enhanced, along with the more standard “cultural, archaeological, natural, ecological, geological, historical, wildlife, watershed, educational, recreational and scenic resources.” The inclusion of grazing and traditional “resources” in the purpose statement could prevent the BLM from adequately managing the area.

Grazing exists on most of the BLM’s National Monuments and NCAs, as with most public lands, and is typically consistent with their management. However, grazing is not a stated purpose of any national monuments. Section 6(c) of H.R. 995 mandates that grazing continue in accordance with the same law and executive orders that apply to grazing on other land under the BLM’s administrative jurisdiction, and we do not object to this provision. However, National Monuments and NCAs are intended for the protection, conservation, and restoration of nationally-significant resources, objects, and values of historic or scientific interest. Establishing livestock as a resource to be conserved and protected within this National Monument may, at a minimum, lead to confusion. A more extreme interpretation could create conflicting and inconsistent management standards for the grazing of livestock within the national monument compared to standards for grazing management on other lands managed by the BLM. This would be problematic from both a grazing management perspective, as well as a monument management perspective, and we oppose the addition of livestock as a monument purpose under the bill. Likewise, the term “traditional... resources” is an ambiguous term which the bill leaves undefined. The BLM has concerns about the scope of activities that this might include. In summary, while the BLM supports the continuation of grazing within the proposed national monument, grazing and traditional uses should not be listed as monument purposes.

Section 6(b)(2) appears to limit the BLM’s discretion to restrict or prohibit motorized and mechanized use within the new national monument if such use is for the purpose of construction and maintenance of range improvements or flood control or water conservation systems. This language could create unnecessary conflicts with the conservation uses for which the monument is established. Motorized and mechanized use is not prohibited within a national monument (as it would be within designated wilderness) but the BLM would want to direct motorized use within the national monument to specified routes determined through a public process.

The boundaries established for the Organ Mountains National Monument under H.R. 995 largely reflect the boundaries that the BLM administratively established for the Organ Mountains Area of Critical Environmental Concern (ACEC) in 1993. In the nearly 20 years since that ACEC was established, numerous changes on-the-ground and in the local community have resulted in the BLM's support for a larger national monument boundary with a different configuration.

For example, the BLM has made a number of significant land acquisitions in the area over the past 20 years, including 400 acres on the east side which make up the popular Soledad Canyon Day Use Area. These acquired lands, along with surrounding public lands, should be incorporated into the bill's proposed monument to protect important resources.

Also, the Army's Fort Bliss and White Sands Missile Range border much of the east side of the existing ACEC. Working with the local BLM, the Army has indicated a strong interest in transferring the Filmore Canyon area to the BLM for conservation and protection as part of a larger designation. Additionally, the Army has advocated for additional conservation lands on the south and east in order to prevent development adjacent to these army bases. The Army recommends military overflight language (similar to that included in S. 1024) as well as language on the compatibility of current and future military training and testing activities on DoD lands adjacent to the proposed national monument. We would welcome the opportunity to discuss these issues in more detail with the sponsor and the Committee.

Section 9 of H.R. 995 calls for the release from wilderness study area (WSA) status of three WSAs totaling over 17,000 acres. The BLM opposes this wholesale release and instead recommends the designation of an approximately 19,000-acre wilderness area within the proposed national monument, and the release of about 800 acres from WSA status. The land currently comprising the Organ Mountains, Organ Needles and Pena Blanca WSAs contains exceptionally high wilderness values. These three WSAs form the heart of the most rugged, isolated, and secluded sections of the Organ Mountains. Granite spires and red rhyolite cliffs are split by ribbons of green trees providing exceptional scenery for the visitor. This is what Congress envisioned when it passed the 1964 Wilderness Act describing areas with "outstanding opportunities for solitude or a primitive and unconfined type of recreation."

Finally, the bill includes nonstandard language on a number of issues including hunting and trapping, rights-of-way, and law enforcement. We would like to work with the Committee and the Sponsor to include language adopted in previous National Monument or NCA laws that insures that the state continues to appropriately regulate hunting and trapping, that the upgrading of existing of rights-of-way are allowed, and that the needs of law enforcement are met, and other technical issues in accordance with the Federal Land Policy and Management Act of 1976, regulations, and policy.

### **Conclusion**

The Organ Mountains are not only a treasure for the state of New Mexico, but one of national significance to be protected and cherished by and for all the people of the United States. The Department looks forward to working with the sponsor and the Committee to find solutions to the issues we have raised, as well as additional more technical issues, so that the Organ Mountains get the full protection they so richly deserve.