

From: Amanda Kaster
To: randal_bowman@ios.doi.gov
Subject: Fwd: Comment letters on two NM monuments
Date: Thursday, July 06, 2017 3:46:28 PM
Attachments: [attachedFile.html](#)
[Heinrich comments on OMDP review.pdf](#)
[Heinrich comments on RGDN review.pdf](#)
[attachedFile.html](#)

FYI

Sent from my iPhone

Begin forwarded message:

From: "Hermann, Maya (Heinrich)" <Maya_Hermann@heinrich.senate.gov>
To: "Amanda Kaster (amanda_kaster@ios.doi.gov)"
<amanda_kaster@ios.doi.gov>
Cc: "micah_chambers@ios.doi.gov" <micah_chambers@ios.doi.gov>
Subject: Comment letters on two NM monuments

Hi Amanda,
Please see two attached letters regarding the history of the Rio Grande del Norte and Organ Mountains – Desert Peaks national monuments. Hard copies are in today's mail.

Thanks,
Maya

Maya Hermann
Legislative Assistant | Office of U.S. Senator Martin Heinrich of New Mexico

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United States Senate

WASHINGTON, DC 20510

July 6, 2016

COMMITTEES:
ARMED SERVICES
ENERGY AND NATURAL RESOURCES
INTELLIGENCE
JOINT ECONOMIC

The Hon. Ryan Zinke
Secretary
Department of the Interior
1849 C St NW
Washington, D.C. 20240

Dear Secretary Zinke:

As you review the status of the Organ Mountains – Desert Peaks National Monument, I wanted to share with you the extensive public engagement and debate on the management of this landscape. For decades, southern New Mexico residents have worked to protect these places. The monument designation three years ago was the culmination of generations of work by local residents. I hope you consider this history when conducting your review.

Shortly after the Wilderness Act of 1964 was signed into law, establishing a new level of legislatively directed management protection for unique federal public lands, local Doña Ana County residents determined that areas of the Organ Mountains were deserving of wilderness protection and began working toward their designation under the new law. By the mid-1970s, the West Potrillo Mountains were found to contain one of the largest expanses of undisturbed Chihuahuan desert grasslands and were also determined to deserve consideration for wilderness designation. Moving forward, local support for these areas and other special wild lands within the county to be included in the national wilderness preservation system, or other protective status such as national conservation areas, continued to grow.

In 1969, the New Mexico Wilderness Study Committee was formed by a small group of citizens interested in protecting public lands around Las Cruces. Shortly thereafter, in 1971, the U.S. Department of the Interior took the first steps to protect some of these lands with the designation of the 27,167 acre Organ Mountains Recreation Lands and began to develop a Management Plan for these lands.

With the passage of the Federal Land Policy and Management Act of 1976 (FLPMA), Congress expressed its intent to change the Bureau of Land Management (BLM) from an agency primarily overseeing the disposal of public lands to one with a broader role of stewardship, including the protection in perpetuity of special landscapes as wilderness areas. FLPMA directed a 15-year study and identification of wilderness study areas (WSAs) by the BLM for submission to Congress for its consideration as to whether they should be designated as wilderness. This multi-year review process allowed for significant public involvement and comment and, in New Mexico, this was exemplified by the citizen involvement and inventory of BLM managed lands conducted by the New Mexico BLM Wilderness Coalition.

The coalition's findings were put forth in its 230-page proposal, "Wildlands," published in 1987. Within Doña Ana County, the "Wildlands" study recommended an enlargement of most of the WSAs previously proposed by the state BLM office—totaling some 427,000 acres as eligible for wilderness designation.

By the end of the 1970s, the Las Cruces Field Office of the BLM had completed its first draft proposal for WSAs in the area, and released its decisions on WSAs to the public in the late 1980. And, in 1984, BLM designated the 8,947 acre Organ Mountains Scenic Area of Critical Environmental Concern.

By 1987, interest in protecting the lands around Las Cruces continued to grow, and the book-form of the results of a citizen inventory of BLM lands, "Wildlands," was released—documenting the New Mexico BLM Wilderness Coalition's statewide proposal for wilderness protection on BLM lands in response to the 1986 BLM Statewide Wilderness Study revised draft. The following year, another group supporting protected federal lands, the Southwest Consolidated Sportsmen, was founded. And, in 1989, BLM Las Cruces District Office released the Organ Mountains Resource Management Plan, which was quickly followed by their recommendation of establishing an Organ Mountains National Conservation Area (NCA). That same year, Dave Foreman and Howie Wolke published "The Big Outside," which identified and recognized the importance of large national wilderness areas and WSAs, including the West Portillo Mountains outside of Las Cruces.

Two years later, in 1991, the New Mexico State office of BLM released the New Mexico Wilderness Study Report, fulfilling the requirements of the Federal Land Policy and Management Act to make final WSA recommendations to Congress by the end of 1991. The proposal for WSAs submitted to Congress pursuant to FLPMA fell short of the citizen proposal for wilderness consideration, only recommended 181,000 acres for inclusion in the Wilderness Preservation System. In 1993, BLM suggested two small additions in the Organ Mountains, bringing the final total of proposed wilderness by BLM to 193,000 acres. In light of the relatively small amount of acreage recommended for wilderness and Congressional inaction even on these recommendations, citizen groups coalesced to form the New Mexico Wilderness Alliance (NMWA) in 1997. The new organization's first steps were to re-inventory all federally managed public lands in New Mexico.

In 2004, as a result of the new inventory, NMWA began a formal campaign for wilderness designation in Doña Ana County. This "Citizen's Proposal" called for the establishment of a 429,0090 acre National Conservation Area (NCA) for the Organ Mountains and Desert Peaks areas, with core wilderness areas of some 325,000 acres within its boundaries. By late 2005, then Senator Pete Domenici announced his intention to introduce legislation that would establish the original 181,000 areas identified by BLM as wilderness but would de-designate other WSAs and provide for the sale and private development of approximately 65,000 acres of existing BLM lands. This proposal met with immediate resistance from local interests, with a poll in January 2006 showing that citizens clearly rejected the land disposal provision in the Senator's draft legislation and a clear preference for the larger Wilderness Alliance proposal. The Doña Ana County Commission and local city councils (Las Cruces, Mesilla, Hatch, and Sunland Park) each passed resolutions consistent with the public polling results in support of protecting more public lands within the county.

Overall support for protecting large swaths of Doña Ana County continued to grow, as a broad coalition of hunters, local businesses, and various citizen groups committed to the permanent protection of Doña Ana public lands from development and extractive uses. Shortly thereafter, the Doña Ana County Wilderness Coalition was formed (later to be known by several names) in support of wilderness designation and, eventually, evolving from wilderness advocacy to a broader support for a national monument. In the meantime, leaders within the Doña Ana County Commission and the Las Cruces City Council expressed their support for broader wilderness protection to include the WSAs in Broad Canyon, East Potrillos, as well as lesser protections for the Organ foothills, Doña Ana Mountains, and Tortuga Mountains.

At Senator Domenici's request in 2006, the City of Las Cruces began a six-month series of public meetings and stakeholder negotiations seeking a compromise that the Senator could support with new legislation. Bringing together urban and rural interests, business and neighborhood groups, sportsmen and conservationists, motorized and "quiet" recreation enthusiasts, the group was able to generally agree that they opposed large-scale land development for the region, no consensus was reached on how much land should be designated as wilderness nor what other management classifications would be best for other lands. As such, Senator Domenici decided not to pursue wilderness and disposal legislation.

Also in February of 2006, the Sonoran Institute released a positive report on the economic advantages of wilderness designation in Doña Ana County ("The Potential Economic Impacts of Wilderness in Doña Ana County, New Mexico"). The report generally touted the overall economic benefits the county could expect to see with an increase in protective land designations. And, throughout the 2006 and into 2007, a number of citizen public forums are held in the county, demonstrated significant support for protecting public lands in general, and wilderness in particular.

After Senator Domenici withdrew from further consideration of legislation, then Senator Jeff Bingaman took the issue under consideration, and began extensive consultation with representatives of stakeholder—both those supportive, and those opposed, to wilderness protection in the county. The Senator, his staff, and the staff of the Senate Energy and Natural Resources Committee held numerous one-and-one meetings with all interested parties that continued for years as the proposed legislation was developed and after its introduction in various forms over the years. As a result of these discussions, in September 2009, Senator Bingaman, along with Senator Tom Udall, introduced compromise legislation that proposed 259,000 acres of wilderness within a 363,000 acre National Conservation Area.

In early 2010, the Senate Energy and Natural Resources (ENR) Committee held a field hearing in Las Cruces on the legislation to further gauge public support, and hear from those with concerns about the proposal. As a result of these hearings and other meetings between the senators and their staffs and local interests, the legislation was further modified to reduce the overall wilderness acreage, primarily by creating a "buffer zone" along the southern border to increase flexibility for border control operations by releasing existing wilderness study area acreage. Language was also added that specifically assured grazing permittees that their activities could continue unhindered. Even with 35,000 acres less of proposed wilderness, the bill was fully supported by the Doña Ana County Wilderness Coalition. The final version of the bill was approved by the Senate ENR Committee unanimously in September 2010. But, before the legislation could be considered by the full Senate, Congress adjourned.

In 2011, Senators Bingaman and Udall reintroduced their legislation for wilderness and NCA designations within Doña Ana County; however, congressional gridlock prevented the bill from being approved. This gridlock in congress lead the Doña Ana County Wilderness Coalition to reconsider their options for ensuring these special wild lands would be protected. In early 2011, a study initiated by the coalition, later assisted by amateur and professional historians, archaeologists, and naturalists, suggested important resources on public lands within the county qualified for preservation and protection from development under the Antiquities Act. Two years of research and on-the-ground studies confirmed there was a basis for petitioning the president for national monument designation based upon the presence of significant historical sites, dating from the last century back to prehistory, and objects of scientific interests, including unique and sensitive landscapes and habitats.

In early 2013, local advocates initiated a full-fledged campaign for an Organ Mountains-Desert Peaks National Monument. The campaign quickly received the formal endorsement of the New Mexico cities of Las Cruces, Mesilla, and Sunland Park, as well as the nearby city of El Paso in Texas. The major newspapers in Las Cruces, El Paso, Albuquerque, and Santa Fe endorsed the proposal. The Doña Ana County Commission formally declared its support. New Mexico's 19 Native American pueblos, and the pueblo of Ysleta del Sur east of El Paso, and the Fort Sill Apaches became advocates for the monument. As it gained national attention, veteran's groups, historical organizations, and conservationists added their support.

As support continued to grow for the monument proposal, in December 2013, Senator Udall and I introduced legislation to establish the Organ Mountains-Desert Peaks National Monument. Shortly thereafter, in January 2014, we invited then-Secretary of the Interior Sally Jewell to visit the county to tour the area and hear from local residents. The secretary's official listening session held in Las Cruces hosted an overflow crowd that was overwhelmingly supportive of the monument. Her subsequent report to the Council of Environmental Quality and the White House noted the strong public support for preserving the historic and scientific values of Doña Ana County public lands and culminated in the president's designation of the Organ Mountains-Desert Peaks National Monument on May 21, 2014.

Since the monument's establishment three years ago, the monument has become a point of pride for the local community. Last year, the Lonely Planet guide books named southern New Mexico one of its "Best in the U.S. 10 Ten" places, highlighting the new Organ Mountains – Desert Peaks National Monument as a new attraction. In September, a local chamber of commerce, the Las Cruces Convention and Visitor's Bureau, and the Friends of the Organ Mountains – Desert Peaks hosted a month-long celebration of the area's three national monuments, called Monuments to Main Street. The community organized events throughout the month to bring locals and visitors into the monuments, from a Full Moon Hike at White Sands National Monument to a helicopter tour of the giant targets used to train World War II bomber pilots, located within and protected by the OMDP National Monument.

Most recently, in the past month, the city council of Las Cruces, the mayors of Las Cruces, Mesilla, Anthony, and Sunland Park, and the county commission of Doña Ana County have reaffirmed their support of the monument in its existing form.

As you consider the future of the Organ Mountains – Desert Peaks National Monument, I hope you will take into consideration the decades of debate and engagement the local community has engaged in both before and after the monument's designation. I am confident you will find that the monument, with its current boundaries, is of great benefit to the region and is widely supported by the local community.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Martin Heinrich', with a stylized, flowing script.

MARTIN HEINRICH
United States Senator

United States Senate

WASHINGTON, DC 20510

July 6, 2016

COMMITTEES:
ARMED SERVICES
ENERGY AND NATURAL RESOURCES
INTELLIGENCE
JOINT ECONOMIC

The Hon. Ryan Zinke
Secretary
Department of the Interior
1849 C St NW
Washington, D.C. 20240

Dear Secretary Zinke:

Local interest in the management and protection of federal public lands within Taos and Rio Arriba Counties in New Mexico has a long and storied history that has always focused on maintaining the lands, historical and cultural roots, and the way of life for local communities. The establishment of the Rio Grande del Norte National Monument is the culmination of years of work by a broad and diverse coalition of local citizens that achieves these goals for the Rio Grande Gorge and Taos Plateau and its people. As part of your review of this monument, I hope you will consider the long history of public engagement on the management of this landscape and how to preserve northern New Mexico's traditional way of life.

Shortly after the Wilderness Act of 1964 was signed into law, establishing a new level of legislatively directed management protection for unique federal public lands, local Taos and Rio Arriba County residents began work on determining whether the areas of public lands surrounding their communities were deserving of wilderness protection. Subsequently, with the passage of the Federal Land Policy and Management Act of 1976 (FLPMA), Congress directed the Bureau of Land Management (BLM) to conduct a 15-year study and identification of Wilderness Study Area (WSAs) to be submitted to Congress for its consideration as to whether these lands were deserving of full wilderness designation.

This multi-year review process not only allowed, but required, that the public have significant involvement and the ability to comment on management recommendations for these public lands. In 1980, despite considerable public input seeking greater protection for public lands in the region, the BLM only designated 7,050 acres of the San Antonio unit of BLM lands as a WSA, while releasing over 11,000 acres from further consideration as wilderness quality lands. This decision, and the additional determination that none of the lands of the Cerro de la Olla parcel (13,283 acres) nor the Windmill parcel (9,447 acres) should be considered as WSAs, was a great disappointment for the residents of this area.

However, in northern New Mexico, as was the case in the southern part of the State, the New Mexico BLM Wilderness Coalition was actively involved in the inventory process. The coalition's findings were put forth in a 230-page proposal, "Wildlands," published in 1987, which recommended further consideration of the wilderness quality and characteristics of public lands along the Rio Grande Gorge and Taos Plateau.

By the mid- to late 1980s, community support to further protect the Rio Grande Gorge and Taos Plateau continued to grow. As a result, by 1990, after a Congressional field hearing held in Taos earlier that year, then-Representative Bill Richardson decided it was time to establish a “Citizen’s Committee on the Rio Grande del Norte.” The committee’s purpose was to develop a general consensus amongst the congressman’s constituents and local elected officials on how best to protect these cherished lands.

After receiving input from the committee and numerous interested parties on how best to protect the lands of the Rio Grande Gorge and Taos Plateau Congressman Richardson introduced the Rio Grande del Norte National Conservation Area Establishment Act (H.R. 2882) on June 27, 1991. In addition to creating a national conservation area (NCA) of approximately 394,000 acres to protect the lands and enhance their use by outdoor enthusiasts, the legislation directed that the secretaries of Interior and Agriculture to develop a management plan for the NCA and make recommendations as to whether any of the lands contained therein should be designated as wilderness. The NCA acreage was significantly less than the 639,000 acres proposed by a number of local interests.

The proposed NCA’s size was a compromise between the smallest and the medium-sized areas proposed by the 14-member Citizen’s Committee the congressman had established the year before. And, as a result of a town hall meeting held by the congressman in Taos earlier in the year, the legislation contained no new mining restrictions on existing leases, except along the Rio Grande River corridor. All other current land-use activities would be allowed to continue under the proposed new management designation. At the time of the bill’s introduction, Congressman Richardson touted the measure as a major conservation effort that represented a compromise amongst the various users of the land.

While the Congressman’s legislation was not approved by the 102nd Congress, local support for these areas and other special wild lands within the counties developed into a citizens’ proposal that sought to protect them as part of the national Wilderness Preservation System and as a National Conservation Area.

Ute Mountain (*Cerro del Yuta*) had always been a dominate feature of the northern New Mexico landscape. The lands, which had previously been privately owned, were acquired by the U.S. from the Trust for Public Land through the use of Land and Water Conservation Funds (LWCF). The local community had worked to protect the area from encroaching development for more than 30 years. The land was conveyed to the U.S. to be managed by the BLM in two parcels of 7,920 acres (2003) and 6,420 acres (2005). Once part of the federal estate, local land protection efforts sought to protect Ute Mountain as wilderness.

Beginning in 2007, U.S. Senate Energy and Natural Resources Committee staff, under the direction of Senator Jeff Bingaman (D-NM), began a series of meetings and community outreach activities in Taos and Rio Arriba Counties in New Mexico focused on a citizens’ proposal to protect the Rio Grande del Norte region as wilderness and a national conservation area (NCA). Senate staff met and communicated with a diverse group of constituencies in northern New Mexico over many months and years to determine the level of support, and opposition, for efforts to protect the Rio Grande del Norte region.

These outreach efforts were numerous and comprehensive—including meetings with local officials from the Taos and Arriba County Commissions, Taos Pueblo, the Towns of Taos and Red River, Villages of Questa and Taos Ski Valley, the Taos Chamber of Commerce, and the Kit Carson Electric Cooperative. Additionally, a “town hall” meeting was held for mine workers from the local Chevron (MolyCorp) Mine, and Senate staff met individually on multiple occasions with each and every grazing permittee within the area proposed for protection.

The historic connection between these lands and local residents runs strong and deep. As such, no effort to develop a new management regime for these public lands could be conceivable without the buy-in and active support of traditional community leaders from Taos Pueblo, nearby Hispanic land grant heirs, and acequia associations, whose traditions date back to early Spanish settlement of the area. Furthermore, and of similar importance, was the need to ensure protective status for the Rio Grande del Norte was also endorsed and welcomed by other “users” of these lands—local hunters, anglers, outdoor guides and outfitters, all of whom depend upon this land for their way of life. Senate staff met repeatedly with all these varied interests.

For these communities, the protection of this landscape was profoundly linked to the preservation of their cultural identity and traditions and ensuring that these would likewise be protected in the future along with these lands. Throughout the outreach process, it became clear that there was strong interest in protecting the water and watersheds. Furthermore, local communities and interests wanted to ensure that traditional activities like hunting, fishing, grazing, gathering of firewood, and piñon nut collection would continue without restrictions for future generations.

Community leaders also expressed a strong desire to pursue policies, such as public lands protection, that would promote economic development for the region—offering permanent, long-term job opportunities for their children—while also preserving their rural lifestyle. Local business dependent on tourism (outfitters, guides, hotels, restaurants, etc.) expressed overwhelming support for the protection of these lands as the best way to ensure an economic boost for the region that had historically experienced high unemployment.

As a result of this community support, over the years, many subsequent bills were introduced by various members of Congress protect these wild lands. Senator Bingaman introduced S. 874, the Rio Grande del Norte National Conservation Area Establishment Act in 2009. The Senate Energy and Natural Resources Committee held hearings in May of that year, and the bill was reported in November but was not considered by the full Senate. I cosponsored a similar bill, H.R. 5334, that Representative Ben Ray Lujan introduced in the House of Representatives. In the following Congress, both the senator and congressman re-introduced their legislation (S. 667 and H.R. 1241, respectively). The bills both received hearings in the Senate and House Committees, and S. 667 was reported to the full Senate but was not considered further.

After years of effort, it became clear that Congress was not going to act on the legislative proposals to protect the area. As such, this latest legislative proposal eventually became the foundation upon which the effort to establish a national monument was based.

Throughout the multi-year process to protect these public lands—whether through designation as an NCA, wilderness, or a national monument—the local supporters of protective designation, along with New Mexico’s Senators and the local Member of Congress, continued their outreach

to all potential stakeholders. For instance, to ensure national monument designation would not adversely impact potential oil and gas development in the region, geological surveys were conducted that determined the area encompassed by the proposed national monument had a low potential for such extractive industries. Furthermore, the high elevation sagebrush and grasslands public lands of the area were used by local ranchers, and it was determined that monument designation would not adversely impact this practiced that depends on public lands to off-set development pressures on their ranch lands.

Additionally, the boundaries of the monument were also carefully crafted to avoid conflicts with any existing usages, such as pipeline corridors and mining areas. Through congressional staff consultation with the Kit Carson Electric Cooperative, existing transmission corridors were “grandfathered” into the monument designation while allowing for the expansion of existing rights-of-way in the future if needed.

On December 15, 2012, then-Interior Secretary Ken Salazar held a listening session in Taos to gauge the support for the Rio Grande del Norte National Monument. Attending the standing-room-only gathering were local residents, including ranchers, hunters, business leaders, elected officials, and traditional communities. When the Secretary asked for a show of hands of those in support monument designation, the vote was unanimous. President Obama issued the proclamation establishing the monument the following March, which was welcomed with celebrations across Taos County.

Of particular importance to note is that fact that the monument proclamation incorporated all those provisions that were of most significant to the local community and various user groups that the legislation had taken into account—especially the long-time traditional uses, such as allowing for the continued collection of piñon nuts and firewood, as well as the continuation of hunting, fishing, and grazing.

Throughout the long process of developing the appropriate protective status for these lands—beginning with efforts to establish WSAs through the BLM administrative process to support for legislation for establishing an NCA and wilderness to the eventual designation as a national monument, public involvement and local interests have been actively involved. This has been a true grass-roots, bottom-up, open and transparent process based in a love for the land and tradition involving local citizens, mayors and other elected officials, businesses, conservationists, outdoor enthusiasts and guides, hunters and anglers, faith-based organizations, veterans, ranchers and grazing permittees, land grant heirs, acequia associations, and traditional leaders from Taos Pueblo. As you consider the future of this place, I hope you take into account the hours, months, and years Taoseños have devoted to protecting this landscape.

Sincerely,



MARTIN HEINRICH
United States Senator