

From: Micah Chambers
To: [Downey Magallanes; randal_bowman@ios.doi.gov](mailto:Downey.Magallanes; randal_bowman@ios.doi.gov)
Subject: Fwd: Letters
Date: Friday, July 07, 2017 1:08:44 PM
Attachments: [attachedFile.html](#)
[Organ Letters part 1.pdf](#)
[Organ Letters part 2.pdf](#)
[attachedFile.html](#)
[Organ Letters part 3.pdf](#)
[attachedFile.html](#)

Sent from my iPhone

Begin forwarded message:

From: "MacGregor, Robert" <Robert.MacGregor@mail.house.gov>
To: Micah Chambers <micah_chambers@ios.doi.gov>
Subject: RE: Letters

Here are all the letters we have gotten. Some are addressed to us, some to the President, and some to the Secretary.

-----Original Message-----

From: Micah Chambers [mailto:micah_chambers@ios.doi.gov]
Sent: Thursday, July 6, 2017 9:40 AM
To: MacGregor, Robert <Robert.MacGregor@mail.house.gov>
Subject: Re: Letters

Easiest way is to send a scan of all if possible

Sent from my iPhone

On Jul 6, 2017, at 7:34 AM, MacGregor, Robert
<Robert.MacGregor@mail.house.gov> wrote:

Hello sir, good seeing you on Tuesday, that was really fun.

What's your the best way to get you guys all of the letters we got on the Organ Mtns Monument? I can print them all out and mail them (to who?) or I can email them.

Sent from my iPhone

January 20, 2017

James L. Huff

(b) (6)

President Trump;

I am sending this letter to request that you use your authority under the American Antiquities Act of 1906 to reduce the size of the Organ Mountain Desert Peaks National Monument that the former president established against the wishes of the majority of residents of Doña Ana County, New Mexico. A few local proponents recruited large numbers of outside activists to join them in promoting this monument. These outside activists, for the most part, have no idea where the proposed monument lands are located, nor will they ever visit this monument.

On the other hand, four wheel drive enthusiasts from all over the US, Mexico, and even Canada had been coming to the Las Cruces area to enjoy the world class four wheeling this area offered. With the designation of this monument, these people who actually visited the areas within this monument, have stopped coming to Las Cruces.

As the owner of a four wheel drive shop, I have experienced first hand, the devastating effects of the designation of the Organ Mountain Desert Peaks National Monument (OMDPNM) on my business. It has also had a severe negative impact on local motels, restaurants, and gas and tire suppliers.

My other fear is that the drug cartels operating out of Juarez, Mexico will use the OMDPNM as their own private pathway to move their drugs into the interior of the US. A vast network of roads exists within the OMDPNM and will most like be closed as soon as the management plan is finalized. While these roads will still exist, they will now be off limits to law abiding citizens and law enforcement. These closures will not deter the drug cartels from using these now vacant routes as their private routes to bypass areas patrolled by law enforcement.

The OMDPNM is just a few miles north of the US/Mexico border. The border fence in this area is just simple D-day type barriers that do not slow down a person on foot. and are very easy to be ramped over with a vehicle. The barb-wire fence to the left of the D-Day barrier is the actual border fence.



Carol L. Cooper

(b) (6)

February 2, 2017

The Honorable Steven Pearce
United States House of Representatives
New Mexico Congressional District 2
2432 Rayburn Street
Washington, D.C. 20515

Re: My request that you support Presidential action to modify boundaries of Organ Mountains Desert Peaks National Monument (OMDPNM)

Dear Congressman Pearce:

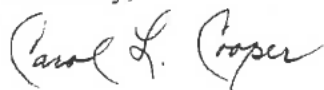
As you well know, President Obama designated 496,333 acres in Doña Ana County as the Organ Mountain Desert Peaks National Monument by "executive order" in May, 2014. Though most residents in the Mesilla Valley believe the Organ Mountains east of Las Cruces are the "footprint" of OMDPNM, in fact, most of the "footprint" of the national monument lies west of Las Cruces and the Rio Grande river, south of Las Cruces to the border and north of Las Cruces, almost to Hatch, NM – hardly "the smallest area compatible with proper care and management of the objects to be protected!" The "objects to be protected" are common to most areas not developed for city living; samples can be obtained and studied from an area far smaller than 496,000 acres.

My family's ranch is totally within the OMDPNM boundary and includes 919 private acres, 4,480 State of NM trust acres, and 39,081 federal acres; we have grazed cattle on this ranch for 30 years; the earliest land patent was issued to Mr. Silva in 1898.

Congressman Pearce, I, too, believe it is important to learn from history, but this monument (and others created in the same way) threaten to prevent history in the making! Our United States of America has been careless with our resources; our families, with the God-given promise of creative and productive generations, is our greatest resource, but second to that, I believe, is the land. We should strive to discover the "highest and best" use of the land; we definitely should not be adding levels of administration which cost taxpayers and levels of regulations which cost producers. (Only 13.6% of the land in Doña Ana County is privately owned; it is unconscionable to subject producers to more restrictions on what they can do with their investments, especially considering that farming and ranching contributes approximately 1/3 of our county's economy.)

Please encourage President Trump to modify the size of the OMDPNM boundary to only the size necessary (Organ Mountain peaks) to share our interesting history, lovely views, and recreational opportunities without impeding, if not destroying, a part of the agricultural industry in Doña Ana County.

Sincerely,



Carol L. Cooper

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February 2, 2017

The Honorable Steven Pearce
United States House of Representatives
New Mexico Congressional District 2
2432 Rayburn Street
Washington, D.C. 20515

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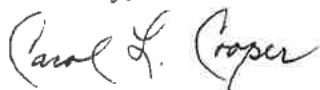
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Sincerely,



May 8, 2017

The Honorable Ryan Zinke
Secretary, Department of Interior
1849 C. Street, N.W.
Washington, DC
20240

RE: Organ Mountain Desert Peaks National Monument

Dear Secretary Zinke:

As a member of the Council of (New Mexico) Border Conservation Districts (CBCD), the consequences of the Organ Mountains-Desert Peaks National Monument (monument) has implications to our Hidalgo Soil and Water Conservation District. Not only do we view the implications important for one of our member districts, Dona Ana Soil and Water Conservation District, the outcome will affect every member district as well as similar districts across the West.

The debate over the monument is not new. It is now over a decade in duration and those allotment holders who face the consequences of the political outcome have been in the cauldron of uncertainty every day of that time. Your office as well as that of the President needs to resolve your position as quickly as possible so resource management plans can finally be accomplished that places some order in the lives of those people and their investments.

CBCD was formed because of the unique perspective our districts have on the basis of border issues. Unlike any other districts in the country face, living and working on the border is not normal. Our stakeholders operate under a footprint of competing agencies that becomes bizarre in complexity and uncertainty. Our membership have ranches that operate under the dictates of the Forest Service, the BLM, the Fish and Wildlife Service, the state of New Mexico, the DOD, the NRCS, major conservation easements, CBC, ICE, the U.S. Marshals, BATF, and FBI depending on the issues at hand. To further limit and curtail freedoms to ranch is simply incomprehensible, but that is the only scenario that can be created in the current monument planning. What happens in Dona Ana County doesn't stay in Dona Ana County. We all experience the effects.

Every one of our member districts face huge social implications relating to jobs, the retention of youth in our communities, the implications of cross border violence and extralegal ingress. We need a stable and robust rural population and there is no way the monument contributes to that stability. On the contrary, only continued attrition of generational operations will take place.

If there is an alternative that is somewhat acceptable, it is the Pearce Plan, the legislation that Congressman Steve Pearce introduced. Even if that takes places, however, grazing language must be written to give those operations remaining under the footprint some semblance of an opportunity to exist. Those people have millions of dollars in investment at risk, and the stance by the BLM and the federal government to disregard those mortgage and investment obligations is unacceptable.

Sincerely,

Hidalgo Rep
CC: Steve Pearce, District partners, Susana, etc.

May 8, 2017

The Honorable Ryan Zinke
Secretary, Department of Interior
1849 C. Street, N.W.
Washington, DC
20240

RE: Organ Mountain Desert Peaks National Monument

Dear Secretary Zinke:

Otero Soil and Water Conservation District (District) has long been concerned with the political debate that surrounds the Organ Mountains-Desert Peaks National Monument. Otero County, like the location the monument, Dona Ana County, is a federally dominated county and our population which includes the stakeholders of our resource management programs is heavily reliant on lands beyond private holdings to remain economic. More importantly, those stakeholders must be in place by law to install partnership projects with the Forest Service, the BLM, and the NRCS. If we don't have them, we put no federal funding into play, but, more importantly, if we don't have them we lose the basic foundation in the management and stewardship of our lands.

This is a huge and looming problem.

Our county is ___% privately held. The rest is held variously by the Park Service, the Forest Service, the BLM, DOD, the Mescalero Indian tribe, and the state of New Mexico. That means that our entire population must rely on that small land base for the basic tenants of living. Yes, we can recreate, and, in some cases, work on government lands, but the business of living must be carried out on the footprint of land that allows our homes to be built and our citizenry to plan their future. The national monument in Dona Ana County looms as the next model for attrition of that base and its most valuable land stewards. We fear our own version of this monument on other lands within our district. We fear implications of the resource management plan we share with Dona Ana County in the BLM resource management plan for the same reason. We can simply not agree upon more lands taken out of robust multiple use without offsets and language that assures a more secure future.

The Tularosa Basin remains a hugely important area for the defense of our nation. It also remains one of the most glaring examples of abuse of this nation's citizenry in the evictions and the resettlement of its citizenry. Your assessment of this monument discussion must take that into account and, then, you must work with us to make sure our local needs are held inviolate.

Sincerely,

Otero Rep and CC: Pearce, district partners, Susan, etc.

May __, 2017

The Honorable Ryan Zinke
Secretary, Department of Interior
1849 C. Street, N.W.
Washington, DC
20240

RE: Organ Mountain Desert Peaks National Monument

Dear Secretary Zinke:

The San Francisco Soil and Water Conservation District is a member of the Council of Border Conservation Districts. We were a founding member of the Council based on common need resulting from border and antagonistic conservation efforts that negatively impacted our district(s). Our district is not impacted by the Organ Mountains National Monument, but the well being of every district has become intertwined. What affects our neighboring districts will eventually affect us.

The proximity to the border is also our common tie. The lessons of Arizona, and the major drug corridors from the border to as far north as Phoenix, are not lost upon us. If an area of the United States exists that poses the ultimate drug trafficking superhighway, it is the area formed by the collective members of this council of districts.

Our assessment of the monument matter in Dona Ana and Luna counties is that the designation was not driven by folks who actually derive their livelihoods and live their lives on the lands. Progressive influences certainly impacted the governing bodies of Dona Ana County, but their lesser financed counterparts across the border were simply ignored. It is a symptom of what ails the West, but those of us from Catron County, New Mexico have a special platform from which to speak. We are a product of the Gila Wilderness and all the local and negative fallout thereof. If our county was large enough, it would dwarf those counties rated as most at risk counties in the country in terms of social disenfranchisement. Indeed, we are the epitome of the grandest sharecropper victims in the history of our nation. We are inundated by federal controls. We bow to an absentee owner who has a police force, a central planner, a judge, a jury, a court advocate, scribes, and poll workers all rolled into absolute land management controllers. We have little authority in any corner, and layered federal controls only add to that dilemma. We ask for consideration for this matter in which we know best.

Two things need to happen. This monument cannot be hammered home with a whole new set of constraints on the public and the tax base. Citizenry needs to be a purpose of this action not a conditional user. Second, this whole matter of drug invasion and biosecurity must be remedied or our district and our country is in deeper trouble. There is a silent majority out here that does not have the means or the loudspeaker to correct ills that torment us. What we have are minority voices that reflect the very conditions that

February 6, 2017

The Honorable Steven Pearce
United States Congress, New Mexico, District 2
2432 Rayburn
Washington, D.C.
20515

RE: Disposition of Organ Mountain Desert Peaks National Monument (OMDPNM)

Dear Congressman Pearce:

As one of the 44 ranches and 90 families impacted by the OMDPNM, our ranch family has been emotionally and physically manhandled over the more than ten years this national monument has been debated and ultimately designated by Presidential Proclamation. With more than 40% of our ranch within the monument footprint, everything we do starting with our whole herd movement is predicated on the being able to operate without unreasonable influence of yet another government bureaucracy. Everything is in a state of unknowns except our mortgages. We are fully within the grasp of a growing nightmare.

The boundary layout of OMDPNM was given absolutely no thought as to the administrative pasture boundaries within our operations. In our case, we will operate under three Resource Management Plans (RMP) within a single pasture. We are being forewarned by letter from the BLM we can touch nothing without their review and approval on the monument portions. Within the pending TriCounty RMP and the Mimbres Basin Plan we are still operating under our permits whereby we are required to maintain infrastructure improvements on condition of the agreement. Within those pastures where there is overlap, there is contractual obligations to maintain all infrastructure without recourse and yet to do nothing on any infrastructure maintenance without BLM approval. As a result, we have now waited four years to get some pipeline work done by signed EQIP contracts. NRCS has signaled that if we don't finish work as agreed we are in breach whether or not the BLM issues a letter to proceed. Step two of our nightmare only grows.

The Antiquities Act is the mechanism that allowed this designation. The law requires a minimum footprint and any objects protected must be either historical or scientific significant. Our ranches have been in place since before the 1880s, and, yet, the historic aspects of our operations have no standing within the monument framework. I have been told by BLM that a grandmother in Florida has a much say over my ranch operation as I do. Not a single acre of our ranch was set forth as consideration for wilderness or more restrictive management in the FLPMA survey of lands with wilderness characteristics and yet it was swept into this land grab as if it has such scientific uniqueness. The only thing here is living history. Step three of our nightmare only intensifies.

May __, 2017

The Honorable Ryan Zinke
Secretary, Department of Interior
1849 C. Street, N.W.
Washington, DC
20240

RE: Organ Mountain Desert Peaks National Monument

Dear Secretary Zinke:

Caballo Soil and Water Conservation District has a vested interest in the outcome of your assessment of the Organ Mountains-Desert Peaks National Monument. Our southern administrative area includes a large portion of the Las Uvas Mountain watershed currently within the monument. That area also contains a large number of federal lands ranches that are dramatically impacted the current footprint status.

The concerns we have are multiple, but the overwhelming concern relates to access into those areas that heretofore has been unlimited in terms of our citizenry being able to deal with duties, responsibilities, and maintenance of the resource base that forms their well being. A most important aspect of this is flood protection. In 2006, the largest community in our district, Hatch, was inundated by raging flood waters that nearly destroyed the town. To limit future flood control structures development and maintenance or to disallow the most basic land stewardship practices that start with enhancing turf growth and maintenance isn't acceptable. These may not be our lands in terms of ownership, but they are certainly our lands in terms of managing the most basic safety and well being of our community.

Our district would recommend that your assessment concentrate on the feature of the monument that the general population understands and supports, the Organ Mountains. We then ask that you allow us to join in the ongoing tasks in the presence of federal lands that allow our small community to prosper and maintain the irrigated land base that the world has come to know by one of our most valuable crops, Hatch Chile.

Sincerely,

District Rep

May __, 2017

The Honorable Ryan Zinke
Secretary, Department of Interior
1849 C. Street, N.W.
Washington, DC
20240

RE: Organ Mountain Desert Peaks National Monument

Dear Secretary Zinke:

Deming Soil and Water Conservation District is a party to the Organ Mountains-Desert Peaks National Monument without ever being asked to the party!

Although the environmental world assumes that the entire monument is held in trust by the United States in Dona Ana County, New Mexico, there are areas of the Potrillo Mountains that fall into Luna County and the purview of this conservation district. As such, this district was part of the discussion and was ignored by the New Mexico senatorial duo that pushed the land designation so vigorously.

That is not acceptable.

It is also not acceptable to accept the risks that the portion of the monument that falls under our authority poses. Let us review the features of the similarly protected federal lands in Arizona that have become multibillion dollar drug corridors.

The features are:

1. There are protected and major north/south natural drainages within the designated lands.
2. These lands lie adjacent or within walking distances from the Mexican border.
3. There are east/west road accesses situated directly north and south of the designations.
4. There are natural high points of observations within the lands.
5. There are absences of permanent American domiciles throughout the vast rural lands.
6. There are conditional restrictions of Border Patrol to access the lands at any time, at any place, and without constraints.
7. There are sanctuaries of wilderness or wilderness study areas within the land masses.
8. The lands are largely owned and administered by federal land agencies.

These exact conditions exist in spades in the Potrillo Mountain section of this monstrosity. We know that the Juarez Cartel now controls this area by controlling all access from the Mexican side. If the United States can control this area and stem the tide

My name is Tom Phillips and I live in Dona Ana County, NM, next to part of the Organ Mountains-Desert Peaks National Monument (OMDPNM). I have lived and worked in Dona Ana County for all of my adult life and recently retired from a career with the federal government.

I wish to comment on the 2014 designation by President Obama, of the OMDPNM, and explain why I believe that the 496,000-acre monument is greatly over-sized and should be considered for substantial reduction, if not complete removal of the designation.

Use of the Antiquities Act – In reviewing the Presidential Proclamation for OMDPNM, there is extensive documentation of the many natural resources found within/near the monument. None of those resources warrant the use of the Antiquities Act for designation. Specifically, as noted in Section 2 of the Antiquities Act: "...authorizes the President, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest... the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the object protected".

Of the numerous objects of historic or scientific interest listed in the proclamation, there are several that are of questionable value (as noted below) and many of the long list of natural resources are not specifically unique, rare, or in danger to warrant the Antiquities Act designation. Further, the Antiquities Act already makes it illegal to "... appropriate, excavate, injure, or destroy any historic or prehistoric ruin or monument, or any object of antiquity, situated on lands owned or controlled by the Government of the US, without the permission of the Secretary of the Department of the Government having jurisdiction...".

FLPMA and Current BLM Management is adequate - The Federal Land Policy and Management Act of 1976 (FLPMA) already provides for general retention of lands (unless disposal meets the national interest and other criteria apply) and requires BLM to manage the public lands "... in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values...". The Presidential Proclamation of OMDPNM applies a layer of management that is not only unnecessary, but essentially curtails the limits set by congress through the FLPMA, and precludes uses that congress hasn't determined are appropriate. Furthermore, it belittles the decades of work that BLM staff have been doing to manage the public lands in the state that they are in, which many will agree are in very good condition and provide adequate protection for significant resources. The local BLM office has been working to develop a land use plan for the last 10 years (TriCounty Resource Management Plan). This plan is the appropriate tool to assign special management for sensitive resources, while accommodating other multiple use of the public lands.

Economic Benefits – Much has been and will be said about how much the monument designation has done for the local economy. My first issue with that is that the Antiquities Act was never intended to be a tool to create economic value. In the 3+ years since the monument was designated, the BLM has not done anything beyond installing expensive signs at most of the locations where roads enter the monument. Due to lack of funding and staffing, the majority of the remaining activities that BLM has been involved in are associated with recreation and visitor services at the previously established recreation sites and trails. All of those activities were possible and did occur on the public lands and designation of the OMDPNM did not create that opportunity. The land base is where that opportunity exists and the land hasn't changed, just a new label has been applied. Many also argue that there has been substantial increase in visitation and economic benefits, but all of that is based on simply

developed recreation area. The overlaying of national monument designation is inappropriate and unnecessary.

West Potrillos Component – The vast majority of this component is made up of 4 existing Wilderness Study Areas that have been waiting on congressional action for over 25 years. Although they contain interesting landscapes from lava flows to small mountains and low hills, they are simply fairly undeveloped landscape with numerous roads and trails throughout. The WSAs currently preclude nearly any new developments and unless released by congress, will retain that level of protection. If Congress decides that those 4 units do not warrant designation as wilderness, then they should be returned to multiple use management using existing BLM guidance. While this component contains some unique natural features such as Kilbourne Hole (designated/protected as a National Natural Landmark), and the lava tubes in the Aden Lava Flow, their significance as historic objects is lacking.

Desert Peaks Component – The last of the four components is an area which contains some of the noted, but already managed features that have questionable historic significance (i.e. Outlaw Rock, Geronimo's Cave). There are some cultural objects in both Valles Canyon and Broad Canyon (primarily Petroglyphs), but those sites are already protected by existing cultural resource preservation laws. Also included in this component are 2 Wilderness Study Areas, which as described above should have congressional action, not presidential national monument designation.

For each of the large components described above, there is obvious overreach of designation by President Obama using the Antiquities Act. Much of this area has been previously proposed by some of the New Mexico congressional delegation, as wilderness and/or national monument, with great support from the environmental community. The fact that those proposals have failed to gain traction in congress should be a big indicator of reasons to not designate them. The presidential proclamation was pushed by the environmental community to circumvent the intentions of congress and due to the significant acreage involved, there is good reason to revisit the designation and reduce the boundaries significantly, if not to remove the designation completely.

My argument for removal of the national monument designation is that all of the significant historic resources have been and can continue to be managed for protection by BLM using existing laws, specifically the Federal Land Policy and Management Act. BLM has a long history of managing for multiple use and protection of important resources through land use plans. Even the most significant and obvious landscape found in the OMDPNM, the Organ Mountains themselves, are currently preserved by WSA and ACEC designations. Even if congress removed the WSA designation, those mountains are not likely at risk from development of other uses that would change them in any way.

For all the reasons stated above, I believe that the designation of OMDPNM by President Obama was not only unnecessary but beyond the scope and intent of the Antiquities Act and therefore should be considered for removal of the designation. If congress were to agree on a future designation of wilderness (for portions of some of the already established WSA) and some smaller national monument, that boundary should be substantially reduced.

Congress of the United States
Washington, DC 20515

June 30, 2017

The Honorable Ryan Zinke
Secretary
c/o Mr. Micah Chambers
Acting Director, Office of Congressional and Legislative Affairs
U.S. Department of Interior
1849 C Street, NW
Washington, DC 20240

Dear Secretary Zinke:

We write in response to your request for congressional input on 27 different land and marine monuments under your initial review as a result of President Trump's [Executive Order \(EO\) 13792](#) issued on April 26, 2017. As you know, the EO directed you to provide a thorough review of national monuments created under the Antiquities Act – particularly those created since January 1, 1996 that are larger than 100,000 acres in size and/or that lacked sufficient public outreach and coordination.

Over the past 20 years, presidents from both sides of the aisle have used the stroke of a pen to unilaterally lock up hundreds of millions of acres using the oft-abused Antiquities Act. As with many laws, the Antiquities Act originated with good intentions; however, it has transformed into a tyrannical tool that presidents have manipulated to exercise unfettered land grabs to the detriment of state and local interests.

It should come as no surprise that of those 27 designations and 773.8 million acres under review, 14 monuments and more than 553.4 million acres were withdrawn by the Obama Administration. In fact, President Obama abused the Antiquities Act more than any other president in history, designating or expanding 34 national monuments and locking-up 553.6 million acres of total land and water. According to the nonpartisan Congressional Research Service, past presidents have used this outdated authority to unilaterally designate 157 national monuments comprising “approximately 774 million acres, or about 92% of all monument acreage proclaimed since enactment of the Antiquities Act.”¹ The rest of the federal estate includes another 640 million acres.²

This Antiquities Act was intended to protect prehistoric Indian ruins and artifacts on federal lands in the West and includes language to limit monument designations under this law to “the smallest area compatible with proper care and management of the objects.” Compared to the early application of the Antiquities Act, where the average size of a national monument was 422 acres, it became commonplace for President Obama’s designated monuments to exceed one million acres in size.

¹ Congressional Research Service, “Executive Order for Review of National Monuments”, May 2017.

² <https://fas.org/sgp/crs/misc/R42346.pdf>

Navajo people are not magazine environmentalists but are real stewards of the land whose interests will be destroyed by a [BENM].”¹⁰

Further, 109,000 acres of Utah School and Institutional Trust Administration (SITLA) land were locked up.¹¹ SITLA land generates revenue from mineral and energy development, forestry activities and grazing. This revenue is then deposited into the State School Fund that supports the state’s K-12 public education system. Locking up SITLA land has sweeping repercussions for the education system and schoolchildren statewide. Equally troubling, Energydesk estimates that 90% of Bears Ears sits above potential oil and gas leases.¹²

A locally-driven, comprehensive land management bill, the Utah Public Lands Initiative Partner Act, was introduced last Congress by House Committee on Natural Resources Chairman Rob Bishop (UT-01) and Rep. Jason Chaffetz (UT-03) in an effort to build a consensus to solve some of the most challenging land use issues, including protections for certain areas of the Bears Ears region. Instead of negotiating in good faith with Members of Congress, the administration waited until the last moment to designate this national monument, over the strong objections of the Congressional delegation. Despite promising to give the tribes important authorities, such as co-management authority, the executive designation failed to include this provision or engage with the tribes in any meaningful way.

Overwhelming opposition to BENM is evidenced by the fact that a mere 17 percent of Utahans favored the designation.¹³ Further, the entirety of the Utah Congressional delegation voiced unanimous support of the rescission of the monument and called for “the establishment of a new precedent for designating national monuments – one that corrects past abuses and remains consistent with the original intent of the Antiquities Act.”¹⁴ We concur with this sentiment and encourage this tack as you continue your evaluation of national monuments identified for review.

Recommendation: We recommend a total rescission of the Bears Ears National Monument.

Berryessa Snow Mountain, California

Berryessa Snow Mountain National Monument (Berryessa) designated by President Obama in 2015, consists of 330,780 acres in northern California. President Obama falsely claimed the boundaries of this monument were “confined to the smallest area compatible

¹⁰ https://naturalresources.house.gov/uploadedfiles/testimony_benally.pdf

¹¹ <https://trustlands.utah.gov/109k-acres-of-school-trust-land-captured-in-bears-ears-national-monument/>

¹² <http://energydesk.greenpeace.org/2017/05/10/donald-trump-national-monuments/>

¹³ <http://utahpolicy.com/index.php/features/today-at-utah-policy/9551-poll-only-17-of-utahns-want-obama-to-designate-bears-ears-as-a-national-monument>

¹⁴ <https://www.hatch.senate.gov/public/index.cfm/2017/5/hatch-congressional-delegation-urge-full-rescission-of-bears-ears-in-letter-to-zinke>

with proper care and management of the objects to be protected.” We disagree with that claim.

According to a column in the Lake Berryessa News, “The original proposal for some form of federal designation for a small part of Northern California ballooned into an attempt to create a large conglomerate National Conservation Area stretching across most of Northern California. When the NCA proposal met strong resistance by local governments and citizens groups, it could not move forward on its own merits. The strategy of the proponents then turned to having President Obama create a National Monument in the final days of his presidency.”¹⁵

The Lake Berryessa Chamber of Commerce voted to oppose the creation of this monument. Chamber President Craig Morton stated, “It is a geographically and ecologically incoherent patchwork of federal parcels. Lake Berryessa is not even geographically connected on the map to the rest of the proposed National Monument, which stretches far into Northern California. The eastern boundary of the map is coincident with the borders of Glenn and Colusa counties. The reason is political, not ecological.”¹⁶

This misguided effort was pushed by extremist special-interest groups and does not warrant national monument status.¹⁷

Recommendation: We recommend a total rescission of the Berryessa National Monument.

Canyons of the Ancients, Colorado

Designated by President Clinton in 2000, Canyons of the Ancients (Canyons) is an example of the judicious and restrained application of the Antiquities Act. Canyons has and extremely high density of archeological sites with roughly 6,000 sites already recorded, and an estimated total of 20,000-30,000 sites within the 175,160-acre monument. According to BLM, “lands within and around the Monument have been used or inhabited by humans, including the Northern Ancestral Puebloan culture, for 10,000 years, and continue to be used by humans today. Historic uses of the Monument include recreation, hunting, livestock grazing and energy development.”¹⁸

On May 23, 2017, Senator Cory Gardner (R-CO) and Congressman Scott Tipton (CO-03) sent you a letter regarding the monument stating, “Any review of Canyons should conclude that no changes to the designation are necessary.”¹⁹ We concur with their assessment and encourage the preservation of Canyons of the Ancients as designated by

¹⁵ <http://lakeberryessanews.com/berryessa-snow-mountain.html>

¹⁶ <http://www.dailydemocrat.com/article/ZZ/20150114/NEWS/150117514>

¹⁷ <http://www.sierraclub.org/redwood/berryessa-snow-mountain-national-monument>

¹⁸ <https://www.blm.gov/programs/national-conservation-lands/colorado/canyons-of-the-ancients>

¹⁹ http://westerncaucus.house.gov/sites/westerncaucus.house.gov/files/Gardner%20%20Tipton_Canyons%20of%20the%20Ancients.pdf

Obama placed legacy-building above the safety of communities and forests when expanding CSNM.

Natural Resources Chairman Rob Bishop aptly noted that “The local communities did not vote for this and do not support it. When they fought to prevent it, the president looked the other way. He didn’t listen or care. It’s clear this decision was self-serving. It was made to dignify national special interests rather than the people impacted. Our committee will fight to make local voices heard and undo the damage created by the president’s unrelenting abuse of power.”²⁴

This unilateral designation took millions of acres of board feet that had already gone through the environmental process out of production and is already causing significant harm to communities in Oregon. In fact, 18 counties filed a lawsuit as a result of President Obama’s expansion. “Douglas County stands to lose the most. That’s because the county takes the biggest share of receipts from timber harvested on O&C timberlands, and the monument’s expanded boundaries swallow up about 40,000 acres of those lands. Because it’s a national monument — managed much like a national park — the forests on those lands would be locked up and unavailable for timber harvests...Douglas County Commissioner Tim Freeman said a rough estimate is that those lands could have brought \$2.5 million a year into the county’s general fund. That’s more than the annual cost of the library system which is about to shut down for lack of funds.”²⁵

Chairman Bishop and the Members of Congress who represent the area in question predicted this occurrence and sent a letter to President Obama urging him not to expand CSNM warning of the devastating impacts a designation would have on forest health and water abundance.²⁶ This plea that was arrogantly ignored.

Rep. Greg Walden (OR-02) put out a strong statement denouncing President Obama’s action stating, “The outgoing administration is locking up more of our public lands through a process that cut out many in the surrounding communities. I will work with the Trump Administration to do what we can to roll back this midnight expansion.”²⁷

In addition, we believe the administration also ignored compelling evidence that this designation was illegal and ignored the will and intent of Congress by violating the Oregon and California Revested Lands Sustained Yield Management Act. According to a 1940 opinion from DOI Solicitor General Nathan R. Margold, “There can be no doubt that the administration of the lands for national monument purposes would be inconsistent with the utilization of the O&C lands as directed by Congress. It is well settled that where Congress has set aside lands for a specific purpose the President is

²⁴ <https://naturalresources.house.gov/newsroom/documentsingle.aspx?DocumentID=401463>

²⁵ http://www.nrtoday.com/news/government/douglas_county_government/o-c-counties-sue-feds-over-cascade-siskiyou-monument-expansion/article_b924d117-5783-546a-abcf-9095e96f78f8.html

²⁶ https://naturalresources.house.gov/uploadedfiles/letter_to_wh_natl_monument_designation.pdf

²⁷ <http://www.opb.org/news/article/cascade-siskiyou-monument-expansion-obama/>

Recommendation: We recommend a reduction of the Craters of the Moon National Monument so that the monument is “confined to the smallest area compatible with proper care and management of the objects to be protected” in coordination with state and local stakeholders.

Giant Sequoia, California

The unique beauty of the Sierra and Sequoia National Forests is undeniable. However, despite lacking local and congressional support, President Clinton designated the 327,760-acre Giant Sequoia National Monument in 2000. While well intentioned, this designation had the adverse effect of putting the Giant Sequoia groves in imminent risk of destruction due to catastrophic wildfire as a result of the lack of active management in the surrounding forest. In order to maintain the health and safety of this forest, not to mention its scenic and historic beauty, responsible, active forest management must be a priority.

In Clinton’s Presidential Proclamation, the monument was subject to valid existing rights and authorized the removal of trees for the purposes of “ecological restoration and maintenance or public safety.”³¹ Since that time, frivolous lawsuits have prevented such maintenance of the forest and legislation to pursue such endeavors has stalled.^{32,33} In order to preserve the Sierra and National Forests and the Giant Sequoia (*Sequoiadendron giganteum*) groves, it is essential that active management take place in the surrounding forest to reduce hazardous fuels and the risk of catastrophic wildfire.

Recommendation: We recommend a reduction of the Giant Sequoia National Monument so that the monument is “confined to the smallest area compatible with proper care and management of the objects to be protected” in coordination with state and local stakeholders. Further, any review ought to consider and implement policies for active forest management so as to preserve the monument for generations to come.

Gold Butte, Nevada

In the last month of his administration, President Obama designated 296,937 acres in southeastern Nevada as the Gold Butte National Monument (GBNM) without the support of state or local stakeholders and in opposition to nearly all of Nevada’s Congressional delegation. The Presidential Proclamation explicitly banned grazing.

³¹ <https://www.gpo.gov/fdsys/pkg/FR-2000-04-25/pdf/00-10312.pdf>

³² <https://naturalresources.house.gov/uploadedfiles/duysentestimony07.27.06.pdf>

³³ <https://www.congress.gov/bill/109th-congress/house-bill/5760?q=%7B%22search%22%3A%5B%22%5C%22Giant+Sequoia+National+Monument%5C%22%22%5D%7D&r=1>

does not reflect the “smallest area compatible” and “provides evidence that coordination with affected state and local management agencies was severely lacking.”³⁸

Additionally, it appears that then-Secretary of the Interior Bruce Babbitt wielded his position to inflict his own will on the state he once served as governor, albeit for little more than a year. Instead of coordinating with those who knew the area and its needs best, Secretary Babbitt ignored the legislative efforts of Congressman Bob Stump that would have preserved the “native biodiversity and ecological richness...while at the same time increasing public awareness, outdoor recreation use and enjoyment.”³⁹ Equally as important, “[Stump’s bill] preserved the ranching lifestyle and maintains existing, historic and traditional uses of the [land].”⁴⁰ The bill encompassed the aforementioned 570,000 acres.

Further troubling is the disruption to collaborative fish and wildlife management and recreational activities. By locking up 1.01 million acres from collaborative efforts to preserve multiple-use management plans, important stakeholders were cut out of the conversation and have suffered as a result. Additionally, at a time when DOI has a maintenance backlog of roughly \$15.4 billion (more than \$353.4 million of which belonging to the Grand Canyon National Park alone⁴¹), the designation of a national monument such as GCPNM places an unnecessary and often insurmountable administrative burden on an already stretched agency.

Recommendation: We recommend a total rescission of the Grand Canyon-Parashant National Monument.

Grand Staircase- Escalante, Utah

Utah has fallen victim to legacy building and land grabs on a massive scale under both the Clinton and Obama Administrations. In 1996, President Clinton designated 1.7 million acres as the Grand Staircase – Escalante National Monument (GSENM), blatantly trampling the requirement to designate the “smallest area compatible.” Grazing, mineral royalties and coal reserve leases were jeopardized by this designation, having an extremely costly and detrimental effect on the economy of Utah. According to Democratic Carbon County Commissioner John Jones from Utah, when President Clinton failed to engage Utahans, much less give local officials any advance notice in the creation of the monument, he also “deprived the people of Utah and the nation of its cleanest low sulfur-high BTU coal supply across the Kaiparowits Plateau.”⁴²

³⁸ Ibid.

³⁹ <http://westerncaucus.house.gov/sites/westerncaucus.house.gov/files/Parshant%20Stump%20Testimony.pdf>

⁴⁰ Ibid.

⁴¹ <https://www.nps.gov/subjects/plandesignconstruct/loader.cfm?csModule=security/getfile&PageID=5547454>

⁴² <https://naturalresources.house.gov/uploadedfiles/jonestestimony04-16-13.pdf>

monument is a treasure that merits the protection and preservation provided by its designation as a national monument.

However, concerns regarding public access to areas of the Hanford Reach National Monument, particularly the summit of Rattlesnake Mountain, continue to persist after years of calls from the public to open the summit for access. The *Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015* included language calling for the Secretary of the Interior to instruct the U.S. Fish and Wildlife Service (FWS) to ensure public access to the summit, but FWS has still yet to do so. There is no reason the public should not be able to visit the summit—the mountain already includes a road to the summit where a communications tower stands. Washingtonians and all Americans deserve to have access to this historic national monument for educational, recreational, historical, scientific, and cultural purposes. It is vital that public access to federal lands, in the West and throughout the country, must not be obstructed.

Recommendation: We recommend no changes to boundaries of the Hanford Reach National Monument, but FWS must move forward with plans to increase public access to the monument, including to the summit of Rattlesnake Mountain.

Ironwood Forest, Arizona

President Clinton created the Ironwood Forest National Monument in June 2000, locking up 128,917 acres of land, including a large amount of land that belongs to the Arizona State School Land Trust. This monument prevents multiple-use on State Trust lands and has subsequently caused harm to the common schools beneficiary, K-12 education. The monument proclamation explicitly prohibited future mineral and geothermal energy production as well as OHV use. Further, the Ironwood Forest National Monument has enacted a complete ban on recreational shooting.

AZGFD has expressed concerns regarding their ability to effectively manage the land that is incorporated in the monument. According to their June 1, 2017 response to this review of national monument designations, AZGFD has been unable to fully implement vital management activities such as: “fencing to protect wildlife habitats and/or restrict wildlife and fence removal...introduction, supplementation and/or translocations of native and/or naturalized species, predator control, Law Enforcement wildlife investigations and response to illegal wildlife activities.”⁴⁷ Ranchers, whose herds have grazed the land for generations and who were the original stewards of the land by protecting riparian areas, maintaining a healthy rangeland and wildlife habitat, echo these concerns regarding access.

⁴⁷<http://westerncaucus.house.gov/sites/westerncaucus.house.gov/files/National%20Monument%20EQ%20AGFD%20working%20draft%20final%206-1-17%20%283%29.pdf>

the Maine legislature enacted bipartisan legislation in April 2016 that required legislative approval for a designation in the state.⁵¹

Governor LePage testified before the House Committee on Natural Resources that, “Mainers understand the benefits of our 17 million acres of forests to our economy, and we have historically been able to support the industries that rely on this land without interference from the federal government.”⁵²

Maine’s state parks provide an excellent example of land conservation working in concert with commercial recreation and resource development. Unfortunately, President Obama chose to ignore the will of the people and instead sided with special-interest groups who perceived themselves to be above the rule of law.

Recommendation: We recommend a total rescission of the Katahdin Woods and Waters National Monument.

Mojave Trails, California

President Obama created the 1.6 million acre Mojave Trails National Monument (MTNM) in early 2016 in spite of local and congressional efforts to protect and manage the land in a collaborative fashion while not increasing federal landownership. This monument is one of the largest in the nation and has been hotly contested for the larger portion of the last decade. While there are many areas within the designation that merit protective conservation, several mineral leases were negatively impacted by the monument. With a known agenda of stamping out mineral extraction in the desert, the Obama Administration drew the boundary of MTNM to include operations such as the Bagdad Chase Mine and the Baxter Iron Mine. Although the proclamation of the monument included language that permitted current operations, future expansion would likely be prohibited causing potential interruptions in supply chain health.

“Miners, hunters, off-road vehicle enthusiasts and collectors of rocks and minerals opposed a presidential monument designation, fearing they would be shut out from enjoying the land.” Recreational enthusiasts are worried “the monument’s 1,400 miles of off-highway vehicle roads will be closed.”⁵³

Unfortunately, President Obama ignored bipartisan and bicameral efforts that coordinated with local stakeholders from San Bernadino County and chose to implement a top-down mandate. The monument included land that had never been debated in a public setting nor was any outreach on the matter conducted, and included hundreds of thousands of acres of non-designated BLM land in addition to swaths of private land as well.

⁵¹ <https://static.votesmart.org/static/billtext/56445.pdf>

⁵² https://naturalresources.house.gov/uploadedfiles/testimony_lepage.pdf

⁵³ <https://www.usatoday.com/story/news/environment/2017/04/26/trump-executive-order-targets-sand-snow-mojave-trails-national-monuments-california/306620001/>

protected without threatening local jobs. We can find common ground through the legislative process with input from the community.”

Rep. Pearce recently submitted a list of 800 businesses and individuals who oppose this monument designation.⁵⁶

Recommendation: We recommend that the Organ Mountains-Desert Peaks National Monument is “confined to the smallest area compatible with proper care and management of the objects to be protected” by being reduced to the 54,800 acre footprint proposed in Representative Pearce’s Organ Mountains National Monument Establishment Act during the 113th Congress.

Rio Grande del Norte, New Mexico

President Obama designated 242,555 acres of land as the Rio Grande del Norte National Monument in March of 2013. The monument proclamation explicitly prohibited future mineral and geothermal energy production.

The land is currently managed by BLM, which was tasked in the proclamation with preparing a management plan for the monument that “shall provide for maximum public involvement in the development of that plan including, but not limited to, consultation with tribal, State, and local governments as well as community land grant and acequia associations.”⁵⁷

Recommendation: We recommend the reduction of the size of Rio Grande del Norte National Monument so the monument is “confined to the smallest area compatible with proper care and management of the objects to be protected” and closely monitoring the RMP process to ensure adequate stakeholder consultation and multiple-use management.

San Gabriel Mountains, California

The San Gabriel Mountains National Monument was designated by former President Obama in October 2014. It encompasses a total of 346,177 acres across Los Angeles and San Bernardino counties in California. Despite the fact that the 346,177 acre monument spans both Los Angeles and San Bernardino counties, little to no outreach regarding the designation was conducted in San Bernardino County (SBC). The portion of the monument in SBC includes 4,873 acres of non-wilderness Forest Service land, in addition to the Sheep Mountain Wilderness area. The designation also included small

⁵⁶ <https://www.usnews.com/news/best-states/new-mexico/articles/2017-06-22/gop-new-mexico-lawmaker-wants-to-shrink-national-monument>

⁵⁷ <https://obamawhitehouse.archives.gov/the-press-office/2013/03/25/presidential-proclamation-r-o-grande-del-norte-national-monument>

Sonoran Desert, Arizona

Precisely three days before the end of his administration, President Clinton locked up 486,149 acres of land in southeastern Arizona. The monument proclamation explicitly prohibited future mineral and geothermal energy production, terminated grazing leases and allowed for significant road closures.

Due to the proximity to our nation's southern border, unique and significant issues exist regarding effective management of the land. Similar to the concerns raised about the Organ Mountains – Desert Peaks National Monument in New Mexico, the Sonoran Desert National Monument's proximity to the U.S.-Mexico border presents a unique challenge as it pertains to land management. More than 85 percent of the land abutting the border belongs to DOI and the U.S. Department of Agriculture. In order to conduct routine patrols, Border Patrol agents must receive permission from agencies such as the U.S. Fish and Wildlife Service and the National Park Service. When response times are paramount, bureaucratic red tape only hinders effective border patrol operations.

This designation jeopardizes national security for the sake of legacy building and prevents those tasked with managing the wildlife within the monument from doing their job.

Former Chairman of the Arizona Game and Fish Commission Robert Mansell stated, "The creation of the Sonoran Desert National Monument in 2001 is a cautionary tale. In 1999, the Arizona Game and Fish Department biologists counted 103 bighorn sheep in the Maricopa Mountains, located within the monument's boundaries in southwest Arizona. Today's surveys indicate fewer than 35 sheep roam this area. The department's limited access inside the monument to provide new and sustainable water sources no doubt was a contributing factor to the steep decline in the sheep population in the Maricopa Mountains. It was a harsh lesson that shouldn't be repeated with any wildlife species anywhere else in Arizona."⁶¹

Further, the monument has limited access for sportsmen and recreational enthusiasts. The Sonoran Desert National Monument has prevented recreational shooting and resulted in expensive litigation. Recreational shooting is appropriate under federal multiple-use mandates and would not be unnecessarily restricted if it weren't for this monument. Hunting has also been negatively impacted as motorized access for big game retrievals has been limited or prohibited. According to AZGFD, "This impacts the Department's ability to distribute hunting pressure, optimize big game harvest objectives, and meet game management goals. In 2008, BLM closed 88 miles of routes to protect monument

⁶¹ <http://azcapitoltimes.com/news/2015/05/11/proposed-national-monument-federal-land-grab-protection-or-feel-good-folly/>

Vermilion Cliffs, Arizona

Designated in November 2000 by President Clinton, the Vermilion Cliffs National Monument encompasses 279,568 acres of land in northern Arizona. The monument proclamation explicitly prohibited future mineral and geothermal energy production as well as OHV use. Designation of the monument caused unnecessary administrative burdens for the state of Arizona in relation to managing wildlife and has resulted in animals being placed in less suitable locations. Prior the monument designation, the land in question was already a wilderness area with a viable and effective management plan in place.⁶⁵ Similar to the Grand Canyon – Parashant designation, an overzealous Secretary Babbitt failed to coordinate with local stakeholders, including Congressman Bob Stump, who represented the Vermilion Cliffs area.

After years of diligent work wherein a wide range of stakeholders with varying interests came to an agreement that supported a mutually agreeable multiple-use plan, the Arizona Desert Wilderness Act of 1984 was ultimately passed into law.⁶⁶ However, Secretary Babbitt's desire for a national monument was not quelled by the management efforts of those closest to the land, and he made an unsupported and inappropriate recommendation to President Clinton to designate the land as a national monument.

Recommendation: We recommend the total rescission of the Vermilion Cliffs National Monument.

Marine Monuments

Marianas Trench, CNMI, Pacific Ocean

President Bush designated the Marianas Trench Marine National Monument during his final days in office. The monument contains no dry land, and encompasses 60.9 million acres of submerged lands and waters in the Mariana Archipelago.⁶⁷ All fishing is prohibited within the monument. The monument also bans oil and gas production as well as other energy development activities.

Recommendation: We recommend no changes to the boundary of the monument at this time; however, should stakeholder support for the monument deteriorate coordination to provide a mutually acceptable solution should be implemented. We also recommend you consider rescinding all fishing restrictions via executive order and returning management back to regional fishery management councils.

⁶⁵ <http://mobile.wnd.com/2000/11/4675/>

⁶⁶ <https://www.congress.gov/bill/98th-congress/house-bill/4707>

⁶⁷ <https://www.gpo.gov/fdsys/pkg/CFR-2010-title3-vol1/pdf/CFR-2010-title3-vol1-proc8335.pdf>

Pacific Remote Islands, Pacific Ocean

In 2014, President Obama added 261.3 million acres to the Pacific Remote Islands National Monument, dramatically expanding this marine national monument and prohibiting commercial fishing in this area in the process. This unnecessarily large monument has also hindered energy development. Not only does this monument significantly impact the fragile economies of the Pacific territories, it drastically affects their food security and cultural stability. Despite promises to allow the territories closest to the monument to co-manage the area, the Obama Administration was unable to follow through on that promise and the territories remain largely left out of the decision-making process.

In March 2017, House Committee on Natural Resources Chairman Rob Bishop (R-UT) and Rep. Aumua Amata Coleman Radewagen (AS-At Large) stated in a letter to President Trump, “The loss of U.S. fishing grounds makes our consumers more dependent on foreign seafood sources as only ten percent of the seafood consumed in the U.S. is domestically produced. Marine national monuments created in the U.S. Pacific Islands resulted in the U.S. tuna purse-seine fleet losing access to historical fishing areas including all U.S. waters (0-200 miles) surrounding Jarvis Island, Wake Island, and Johnston Atoll, remote, uninhabited equatorial possessions of the United States, totaling 1,184,000 square miles.”⁷¹

Recommendation: We recommend a reduction of the size of the Pacific Remote Islands National Monument so that the monument is “confined to the smallest area compatible with proper care and management of the objects to be protected,” as well as repealing all fishing and unnecessary energy restrictions via executive order and returning management back to regional fishery management councils.

Papahānaumokuākea, Hawaii

Originally designated by President George W. Bush, the Papahānaumokuākea Marine National Monument consists entirely of submerged lands and waters off the coast of Hawaii. In 2016, President Obama expanded the size of the monument by enlarging it by 283.4 million acres. The expansion is a clear overreach by the Obama Administration preventing “all energy development activities within the Monument Expansion” and unnecessarily restricting traditional uses of the waters by responsible stewards.

According to the House Committee on Natural Resources, “Former U.S. Senator Daniel Akaka (D-HI) and former Hawaii Democratic Governor George Ariyoshi, saw it as an act of federal overreach that would harm native Hawaiian livelihoods and cultural practices. Akaka and Ariyoshi further suggested that such an expansion would

⁷¹ https://naturalresources.house.gov/uploadedfiles/03.07.17_ltr_to_potus_re_monuments.pdf

through the monuments and are then caught by nations with little to no environmental regulations...that is not helping the sustainability for the future.”⁷⁴

Recommendation: We recommend a reduction of the size of the Rose Atoll Marine National Monument so that the monument is “confined to the smallest area compatible with proper care and management of the objects to be protected,” as well as repealing all fishing restrictions via executive order and returning management of the atoll to American Samoa.

Concluding Remarks

We thank you for your thoughtful review and this opportunity to contribute our perspective on these national monuments as they have significant and far-reaching impacts on our communities, states and regions.

The Antiquities Act of 1906 is broken and in desperate need of reform. No one person should be able to unilaterally lock-up millions of acres of public land from multiple-use with the stroke of a pen. Local stakeholders deserve to have a voice on public land-use decisions that impact their livelihoods.

We hope you share our concerns and recommend shrinking many of these national monuments under your review to “the smallest area compatible with proper care and management of the objects to be protected,” and in some cases, recommend rescission of national monuments unilaterally designated by presidents in the last 20 years that are larger than 100,000 acres and that lacked public outreach and coordination with relevant stakeholders.

Additionally, your comments published in the Federal Register also request information on any additional monuments that should be reviewed. While we do not have any additional monuments to be added at this time, we request that the Department of the Interior and the Department of Commerce review the full acreage of all 27 monuments under review including the Pacific Remote Islands National Monument (316.9 million acres) and the Papahānaumokuākea Marine National Monument (372.9 million acres).

Finally, we hope that your review will contribute to substantive policy reforms. A 2001 review by the Department of the Interior of misuse by President Clinton was a step in the right direction, but ultimately the review did not result in any substantive policy changes to curb future abuse.

We ask that the Department commit to working with Congress to rein in this outdated law, protect private property rights, ensure local stakeholder coordination and prevent massive unilateral designations.

We would be pleased to discuss our recommendations and this letter with you and your staff should you have any questions or like additional information.

As always, we ask that this request be handled in strict accordance with existing rules, regulations and ethical guidelines.

⁷⁴ <https://radewagen.house.gov/media-center/press-releases/amata-reiterates-support-marine-monuments>



Kevin Cramer
Member of Congress



Aumua Amata Coleman Radewagen
Member of Congress



Paul Cook
Member of Congress



Daniel Webster
Member of Congress



Mark E. Amodei
Member of Congress



Jody Hice
Member of Congress



Doug LaMalfa
Member of Congress



Brian Babin
Member of Congress

Martinez, Joe

From: slwconsult@aol.com
Sent: Tuesday, May 30, 2017 10:01 AM
To: Martinez, Joe
Subject: Wilmeth: Hidalgo SWCD Zinke Letter

Joe, here is the first of several letters to secretary Zinke regarding the monument review. This comes from Hidalgo Soil and Water. What I have told each of these CBCD members is that one copy should go to the congressman and one copy should be hand carried to Zinke to make are he "sees" it.
Thanks, Wilmeth

Subject: RE: Hidalgo SWCD Zinke Letter

Thank you for sending Steve.

From: Stephen Wilmeth [<mailto:slwconsult@aol.com>]
Sent: Saturday, May 27, 2017 9:57 AM
Subject: Hidalgo SWCD Zinke Letter

Attached is the HSWCD letter to Zinke ... notice they took it verbatim without even changing the CC draft entries, but, it is done and I will deliver to Pearce's office. Another copy will be sent by US. Mail to the monument review address.

in the wings. We can't offer assurances or robust opportunities because of the uncertainties emanating from federal land use dominion. Please remember that all this "iconic" monument land is simply reshuffled within a framework of government owned land that already consumes 94.5% of the entire county!

Our private land, therefore, is ever dearer in order to create infrastructure that makes our operations more productive and secure. This raises the two points of this letter. The first deals with the proclamation setting forth the creation of the monument and the disposition of private lands landlocked within the footprint. This concern arises from the *NOW, THEREFORE, I, BARRACK OBAMA* vested authority clause which states that *Lands and interests in land within the monument's boundaries not owned or controlled by the United States shall be reserved as part of the monument upon acquisition of ownership or control by the United States.*

It doesn't take a genius to understand the implication. The United States intends to control our lands. It can be further determined from the maps wherein our private ranch properties are not excluded by boundary demarcations (unlike the upper end imbedded residential developments along the Organ Mountain face).

Certainly, we are subjects of existing rights, but, when the allowances of the Antiquities Act are considered, only two protected objects are allowed. Those are scientific and historic. That doesn't include "iconic landscapes, ecological diversity, general and widespread southwestern fauna and flora, or prehistoric matters that may or may not be "ripe for discovery" without qualification. Likewise, they are not authorizations to pick winners or losers. You mirrored our fears when you said, "Monuments should never be put in a position to prevent rather than protect."

There are 90 families directly impacted by this monument that exist only because of the land on which they fill the role of steward. If they wrote you a comment, they would represent three tenths of one percent of the number of public comments you received the first week of the comment period. Like mine, their letters may not "materially impact readership", but they also live face-to-face with this monument and feel totally exposed and unprotected.

What they represent is the definition of historic that has been adopted by the local conservation district as well as the seven member, Council of Border Conservation Districts, that believe that words mean something. This definition of *Historic* is:

The chronicled story, legend, account, and record of a people, or aggregation of men, existing in the form of an organized (jural) society, inhabiting a district portion of the earth, speaking the same language(s), using the same customs, possessing historic continuity, and distinguished from other like groups by their racial origins and characteristics, and generally, but not necessarily, living under the same government and sovereignty.

This, my second point, elevates the requirement of federal law to observe and deal with local governance in land use planning. When you offer your recommendations to



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May 25, 2017

The Honorable Ryan Zinke
Secretary, Department of Interior
1849 C. Street, N.W.
Washington, DC
20240

RE: Organ Mountain Desert Peaks National Monument

Dear Secretary Zinke:

As a member of the Council of (New Mexico) Border Conservation Districts (CBCD), the consequences of the Organ Mountains-Desert Peaks National Monument (monument) has implications to our Hidalgo Soil and Water Conservation District. Not only do we view the implications important for one of our member districts, Dona Ana Soil and Water Conservation District, the outcome will affect every member district as well as similar districts across the West.

The debate over the monument is not new. It is now over a decade in duration and those allotment holders who face the consequences of the political outcome have been in the cauldron of uncertainty every day of that time. Your office as well as that of the President needs to resolve your position as quickly as possible so resource management plans can finally be accomplished that places some order in the lives of those people and their investments.

CBCD was formed because of the unique perspective our districts have on the basis of border issues. Unlike any other districts in the country face, living and working on the border is not normal. Our stakeholders operate under a footprint of competing agencies that becomes bizarre in complexity and uncertainty. Our membership have ranches that operate under the dictates of the Forest Service, the BLM, the Fish and Wildlife Service, the state of New Mexico, the DOD, the NRCS, major conservation easements, CBC, ICE, the U.S. Marshals, BATF, and FBI depending on the issues at hand. To further limit and curtail freedoms to ranch is simply incomprehensible, but that is the only scenario that can be created in the current monument planning. What happens in Dona Ana County doesn't stay in Dona Ana County. We all experience the effects.

Every one of our member districts face huge social implications relating to jobs, the retention of youth in our communities, the implications of cross border violence and extralegal ingress. We need a stable and robust rural population and there is no way the monument contributes to that stability. On the contrary, only continued attrition of generational operations will take place.

If there is an alternative that is somewhat acceptable, it is the Pearce Plan, the legislation that Congressman Steve Pearce introduced. Even if that takes place, however, grazing language must be written to give those operations remaining under the footprint some semblance of an opportunity to exist. Those people have millions of dollars in investment at risk, and the stance by the BLM and the federal government to disregard those mortgage and investment obligations is unacceptable.

Sincerely,



DEMING SOIL AND WATER CONSERVATION DISTRICT

405 E. Florida • Deming, NM 88030 • (505) 546-9692 Ext. 3

May 18, 2017

The Honorable Ryan Zinke
Secretary, Department of Interior
1849 C. Street, N.W.
Washington, DC
20240

RE: Organ Mountain Desert Peaks National Monument

Dear Secretary Zinke:

Deming Soil and Water Conservation District is a party to the Organ Mountains-Desert Peaks National Monument without ever being asked to the party!

Although the environmental world assumes that the entire monument is held in trust by the United States in Dona Ana County, New Mexico, there are areas of the Potrillo Mountains that fall into Luna County and the purview of this conservation district. As such, this district was part of the discussion and was ignored by the New Mexico senatorial duo that pushed the land designation so vigorously.

That is not acceptable.

It is also not acceptable to accept the risks that the portion of the monument that falls under our authority poses. Let us review the features of the similarly protected federal lands in Arizona that have become multibillion dollar drug corridors.

The features are:

1. There are protected and major north/south natural drainages within the designated lands.
2. These lands lie adjacent or within walking distances from the Mexican border.
3. There are east/west road accesses situated directly north and south of the designations.
4. There are natural high points of observations within the lands.
5. There are absences of permanent American domiciles throughout the vast rural lands.
6. There are conditional restrictions of Border Patrol to access the lands at any time, at any place, and without constraints.

OTERO SOIL AND WATER CONSERVATION DISTRICT

3501 Mesa Village Drive, Alamogordo, NM 88310 - PHONE (575) 437-3100
www.oterowcd.org

Bill Mershon, Chairman
Rick Baish, Vice Chairman
Jeff Rabon, Secretary/Treasurer

Bob Nichols, Member
Eddie Vigil, Member
Thomas Mendez, Member
James Evrage, Member

June 7, 2017

The Honorable Ryan Zinke
Secretary, Department of Interior
1849 C. Street, N.W.
Washington, DC 20240

RE: Organ Mountain Desert Peaks National Monument

Dear Secretary Zinke:

As a member of the Council of (New Mexico) Border Conservation Districts (CBCD), the consequences of the Organ Mountains-Desert Peaks National Monument (monument) has implications to our Otero Soil and Water Conservation District (SWCD). Not only do we view the implications important for one of our neighboring districts, Dona Ana SWCD, the outcome will affect every member district as well as similar districts across the West.

The debate over the monument is not new. It is now over a decade in duration and those allotment holders who face the consequences of the political outcome have been in the cauldron of uncertainty every day of that time. Your office as well as that of the President needs to resolve your position as quickly as possible so resource management plans can finally be accomplished that places some order in the lives of those people and their investments.

CBCD was formed because of the unique perspective our districts have on the basis of border issues. Unlike any other districts in the country face, living and working on the border is not normal. Our stakeholders operate under a footprint of competing agencies that becomes bizarre in complexity and uncertainty. Our membership have ranches that operate under the dictates of the Forest Service, the BLM, the Fish and Wildlife Service, the state of New Mexico, the DOD, the NRCS, major conservation easements, CBC, ICE, the U.S. Marshals, BATF, and FBI depending on the issues at hand. To further limit and curtail freedoms to ranch is simply incomprehensible, but that is the only scenario that can be created in the current monument planning. What happens in Dona Ana County doesn't stay in Dona Ana County. We all experience the effects.

Every one of our member districts face huge social implications relating to jobs, the retention of youth in our communities, the implications of cross border violence and extralegal ingress. We need a stable and robust rural population and there is no way the monument contributes to that stability. On the contrary, only continued attrition of generational operations will take place.

**SIERRA ALTA RANCH LLC
PO Box 417
Dona Ana, New Mexico 88032**

Phone: 575-526-2112; Cell 575-644-8841
tmoblecyj@comcast.net

June 29, 2017

Monument Review
MS-1530
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

Attn: The Honorable Ryan Zinke

Re: Organ Mountains-Desert Peaks National Monument

Dear Secretary Zenke;

My family and I own Sierra Alta Ranch, located entirely within the boundaries of the Organ Mountains-Desert Peaks National Monument. That includes 1160 acres of private land and 560 acres of state trust land.

We fully support President Trump's Executive Order directing a review of certain national monuments, and, especially, the Organ Mountains-Desert Peaks.

After many careful readings of the American Antiquities Act of 1906 and the Organ Mountains-Desert Peaks National Monument Proclamation, I believe the proclamation is legally defective based on the following:

1. Congress has the full authority over federal lands under the Property clause of the Constitution.
2. Congress delegated a limited part of that power to the president in 1906 when it adopted the Antiquities Act.
3. The delegated power was limited to declaring "historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest" situated on the federal lands as national monuments.
4. Following the declaration of objects as national monuments, the president may reserve, as a part of the monument, parcels of land, "confined to the smallest area compatible with proper care and management of objects to be protected".

STATE OF NEW MEXICO
County of Luna



Joe L. Milo, Jr.
Commissioner, District 1

Linda M. Smrkovsky, Chair
Commissioner, District 2

John S. Sweetser
Commissioner, District 3

Ira T. Pearson
County Manager

700 South Silver Avenue • Post Office Box 551 • Deming, New Mexico 88031
Telephone (575) 546-0494 Facsimile (575) 544-4293

June 8, 2017

Ryan Zinke Secretary, Department of Interior
1849 C. Street, N.W.
Washington, DC
20240

RE: Organ Mountain Desert Peaks National Monument

Dear Secretary Zinke,

Luna County would like to extend our sincere appreciation for your hard work and diligence regarding the research of National Monuments created under the Antiquities Act of 1906.

Although the environmental world assumes that The Organ Mountain Desert Peaks National Monument is held in trust by the United States in Dona Ana County, New Mexico, there are areas of the Monument that fall into Luna County.

The Monument was created without any input from the citizens of Luna County.

We ask that you review the original proposed footprint that only encompasses the Organ Mountains and remove any portion that falls into Luna County.

Respectfully,

Linda M. Smrkovsky
Luna County Commissioner

ATTENDED/APPROVED
TELEPHONICALLY

Joe L. Milo Jr.
Luna County Commissioner

John S. Sweetser
Luna County Commissioner



Caballo Soil and Water Conservation District

PO Box 145 • Garfield, NM 87936 • Phone and Fax 575-267-0516

May 16, 2017

The Honorable Ryan Zinke
Secretary, Department of Interior
1849 C. Street, N.W.
Washington, DC
20240

RE: Organ Mountain Desert Peaks National Monument

Dear Secretary Zinke:

The Caballo Soil and Water Conservation District works to implement conservation projects in and around the Las Uvas Mountain watershed. This area is now part of a new national monument. This new designation directly impacts our ability to implement conservation practices and protect our community from floodwaters.

This designation not only impairs our ability to improve, protect, and conserve our natural resources but it further serves to undermine the fundamental functionality of our largest economic industry, agriculture. Agriculture is our cornerstone industry and the backbone of our rural economy.

A special designation is not necessary to protect our federal lands. They have been and can continue to be well managed under a multiple use philosophy by a wide diversity of Americans free from a national monument. These lands and their natural beauty are not threatened by economically productive and sustainable use.

In 2006, the largest community in our district, Hatch, was inundated by raging flood waters that nearly destroyed the town. It is not acceptable to significantly weaken our ability to protect our communities. These may not be our lands in terms of ownership, but they are certainly our lands in terms of basic safety and the well-being of our community.

The monument was publicly promoted as protecting a key feature, the Organ Mountains. The Uvas Mountains are home to productive rangelands producing beef and supporting our economy. It was an obvious overstep to sell the first and then lump in the later.

We ask that you continue to support the vital role federal lands play in the prosperity of our economy and work to maintain the irrigated land base that helps to produce a world renowned and valuable crop, Hatch Chile.

Sincerely,

District Supervisor

June 14, 2017

The Honorable Ryan Zinke
Secretary, Department of Interior
1849 C. Street, N.W.
Washington, DC 202240

RE: Rancher dilemma in OMDPNM

Dear Secretary Zinke:

I am a rancher in the footprint of the OMDPNM. My operations lie in both affected counties. One of those ranches is fully inundated within the footprint while the other is on the border and impacted in the spill over into Luna County from Dona Ana.

The problem looms that every square inch of both those operations will be managed by the BLM on the basis of monument. That will probably not be what BLM says if you asked for clarification, but when a single manager is assigned to every ranch allotment that has monument impact, there is simply no way there will be differentiation. The facts that there was never any administrative boundary review regarding pasture configuration only makes the problem greater and more onerous for the BLM to manage.

This is a mess.

It is not only an administrative nightmare it places me and every one of my employees in increasing danger on the basis of qualified access by the Border Patrol and law enforcement. Yes, we know that the Trump administration will work to expand border defense, but that does nothing for future administrations. We also know that EVERY other border monument has only resulted in stepwise diminishment of access and that includes my fellow ranchers. We can't live with promises. We need legislative solutions in order to eliminate an expected tit for tat when President Trump leaves office.

On the basis of authority of the Antiquities Act and the object protections surrounding historic and scientific matters, this proclamation is an agenda driven technical strike against our industry. These operations have been here since the 1870s and their historical significance is silent. As a matter of fact, they are the only continuous links to the past that remain conditionally viable. Likewise, the validity of scientific significance on the basis of future discovery is laughable. When has a future scientific discovery warranted protection under the Antiquities Act? The only science in this matter is the wildlife and livestock patterns that have evolved on the basis of water development. In fact, water development is the only object that has any merit in trying to substantiate merit in both historic and scientific object protection.

We need administrative support in reducing the outlandish reach of land grab and we need successive legislative action for protections from progressive retribution.

Sincerely,



Bill Smyer
Luna and Dona Ana County rancher



DEMING SOIL AND WATER CONSERVATION DISTRICT

405 E. Florida • Deming, NM 88030 • (505) 546-9692 Ext. 3

May 18, 2017

The Honorable Ryan Zinke
Secretary, Department of Interior
1849 C. Street, N.W.
Washington, DC
20240

RE: Organ Mountain Desert Peaks National Monument

Dear Secretary Zinke:

Deming Soil and Water Conservation District is a party to the Organ Mountains-Desert Peaks National Monument without ever being asked to the party!

Although the environmental world assumes that the entire monument is held in trust by the United States in Dona Ana County, New Mexico, there are areas of the Potrillo Mountains that fall into Luna County and the purview of this conservation district. As such, this district was part of the discussion and was ignored by the New Mexico senatorial duo that pushed the land designation so vigorously.

That is not acceptable.

It is also not acceptable to accept the risks that the portion of the monument that falls under our authority poses. Let us review the features of the similarly protected federal lands in Arizona that have become multibillion dollar drug corridors.

The features are:

1. There are protected and major north/south natural drainages within the designated lands.
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STATE OF NEW MEXICO
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June 8, 2017

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1849 C. Street, N.W.
Washington, DC
20240

RE: Organ Mountain Desert Peaks National Monument

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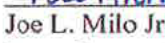
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We ask that you review the original proposed footprint that only encompasses the Organ Mountains and remove any portion that falls into Luna County.

Respectfully,


Linda M. Smrkovsky
Luna County Commissioner

ATTENDED/APPROVED
TELEPHONICALLY

Joe L. Milo Jr.
Luna County Commissioner


John S. Sweetser
Luna County Commissioner

John E. Keck

PO Box 349 Deming, NM 88031
575-544-1101

May 31, 2017

The Honorable Ryan Zinke
Secretary, Department of Interior
1849 C. Street, N.W.
Washington, DC 20240

Dear Ryan,

First I want to congratulate you on your historic appointment as Secretary of Interior. What an honor that is.

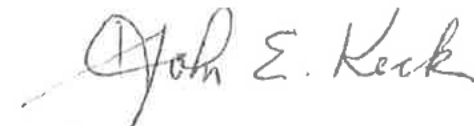
Secondly, when I joined your supporters for your first primary for the lone Montana congressional seat, supported your subsequent congressional quest, and, then, continued support for your successful reelection bid last fall did I ever think in my wildest dreams you would be in a position to help us beleaguered western ranchers.

I have personally ranched in New Mexico for 40 years on mixed ownership lands spread over more than 130,000 acres of federal land, 75,000 acres of state trust lands, and 20,000 acres of private lands. Part of our ranch west of Deming continues to struggle with lands still under the specter of WSA status, but long ago determined to be without wilderness merit. These embedded lands are burdened with more restrictions even than wilderness lands because of the layered regulatory chaos.

Now, I face the monumental threat of the Organ Mountains-Desert Peaks National Monument impacting our ranch east of Deming spanning Dona Ana and Luna Counties. Although only 40% of that ranch, Butterfield Trail Ranch, is in the monument, the entire ranch is now assigned to monument management.

I am elated to send you this note with my good friend, Steve Pearce. Together, we are seeking your help in resolving this issue that is so detrimental in the form that it currently exists. Hopefully, you can right the shortfalls that we face.

Your friend and Loyal Supporter,


John E. Keck

May 16, 2017

The Honorable Ryan Zinke
Secretary, Department of Interior
1849 C. Street, N.W.
Washington, DC
20240

RE: Organ Mountain Desert Peaks National Monument

Dear Secretary Zinke:

Our investment, Butterfield Trail Ranch LLC, is administered under the Organ Mountain Desert Peaks National Monument staff. Since only 40% of the ranch is actually under the footprint of the monument, a brief explanation is required.

The BLM has assigned the monument manager and staff to oversee the management of all 40 ranches impacted by the monument regardless of how much land is in the designation. It doesn't take a lengthy explanation, therefore, to understand the implication of this expansion of monument influence. This action was predicted when administrative boundaries (pastures) were ignored by the BLM in the process running up to the designation by President Obama in May, 2014.

Please remember that not a single individual who had duties, responsibilities, or investments on these lands was invited to the table when the initial closed doors meetings were held to conceptualize this border monument. The entire process was a function of the New Mexico senatorial offices, the New Mexico Wilderness Alliance, and the previous administration. Certainly, local governing boards were brought into the fold, but those were only boards where secular, progressive leadership was present. Local culture and customs were ignored unless it benefited the effort. When your predecessor, Secretary Jewell, arrived to take a straw poll to decide to designate the monument not a single impacted land owner was invited to attend the gala field trip arranged on her behalf. That included the visit to the private lands within the monument boundary where she saw pictographs.

In the matter of private lands imbedded in the monument, there is enough land to plant the local villages of Hatch, Mesilla, and Deming. For a county that suffers from and astounding 87% total government ownership, that is a lot of private land. That total is paired with 80 sections of New Mexico State Trust Land. Interestingly, there is senatorial and state discussion that calls for those lands to be lifted from the footprint for "fiduciary responsible" management. There is no similar consideration for private lands. Private lands, except where they are clearly defined as being exempt from the monument consideration in high end residential developments near the base of the Organs, remain imbedded and "reserved as part of the monument upon acquisition of ownership or control by the United States" as the proclamation sets forth.

John E. Keck

PO Box 349 Deming, NM 88031
575-544-1101

May 31, 2017

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Secretary, Department of Interior
1849 C. Street, N.W.
Washington, DC 20240

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Secretary, Department of Interior
1849 C. Street, N.W.
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January 20, 2017

The Honorable Steven Pearce
United States Congress, New Mexico, Congressional District 3
2432 Rayburn
Washington, DC
20515

Dear Congressman Pearce:

As you know, I ranch in Luna County and now find myself impacted by the Organ Mountain Desert Peaks National Monument. I am one of only two or three ranches that now get pulled into that otherwise Dona Ana County issue.

Many things worry me about this not the least of which is my investment future. How on earth are we going to survive this long term if we are left in national monument status? None of us believe for a minute that we will be able to ranch if this thing is left in this current footprint and status. Another administration will simply merge where the past one left off and bring to bear conditions that we simply can't survive.

The management plan is the next looming horror story. There will be 40 of us ranchers and a thousand environmental operatives dictating to the BLM how the plan should go together. You know as well as we know that those odds are not going to be favorable to us. The BLM will bend to the marching orders of the liberal left and we will lose. I have worked all my life for the operation I have. Even if I survive this assault my heirs will not be able to survive under those future conditions.

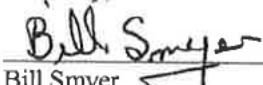
Congress has to act.

Since I don't expect to have a voice that is heard beyond the ranchers around me, I would suggest you remind the Trump administration and your congressional colleagues that we are in the shadow of the border and, rather than shutting this country down, we had better be making sure Americans are visible and seen constantly by cartel operatives who know full well how to take advantage of restricted access lands. This can be made more effective by encouraging practices and legislation that promotes ranching down here. Make this a place to want to be rather than a growing liability that is going to get people killed.

In short, I ask for your help in keeping us viable and robust in order to do our part to keep this area safe and productive. Surely you have colleagues who have enough acumen to understand the need to secure this border! This isn't just about us although being on the chopping block gets our attention real quick. The bigger matter is about all Americans.

Help us and convince President Trump and apparent Secretary Zinke that this isn't about a public hunting reserve like some have come to expect. This is a national security matter with grave consequences.

Sincerely,


Bill Smyer
Luna County Rancher



February 9, 2017

The Honorable Steven Pearce
United States Congress, New Mexico
Congressional District 3
2432 Rayburn Building
Washington DC 20515

Re: Reducing the size of the Organ Mountains Desert Peaks National Monument by proclamation.

Dear Congressman Pearce:

I represent "The Western Heritage Alliance", a 791 member coalition of business owners in Dona Ana County who were strongly opposed to the New Mexico Wilderness Alliance initiated Organ Mountains-Desert Peaks National Monument as designated by Presidential Proclamation 9131 and signed on May 21, 2014. We supported the designation of a smaller footprint of just the Organ Mountains as outlined in HR 995.

There are many problems associated with the current OMDPNM, such as border security, watershed access for flood control prevention, restrictions on access to underground water supply, no new rights of way or roads, loss of potential economic development of the large area and many others.

Secretary of Homeland Security, John F. Kelly recently said that the Southwest border is a "gaping wound". By revising the boundary near the international border would assist in securing the southwest border to reduce crime and making it harder for illegal immigrants to enter into the United States.

We would urge you to recommend to President Donald J. Trump to use his authority under the Antiquities Act to reduce the size of the OMDPNM to just the footprint of the Organ Mountains as described in HR 995.

Respectfully,

A handwritten signature in blue ink, appearing to read "JG Schickedanz".

Jerry G. Schickedanz
Chairman, Western Heritage Alliance



Aubrey Dunn, State Land Commissioner

State of New Mexico

February 22, 2017

The Honorable Steve Pearce
United States House of Representatives
2432 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Pearce,

Please accept my support of the congressional effort to reduce the size of the Organ Mountains Desert Peaks National Monument.

As you know, national monuments have grown 72 times in size due to implementation of the Antiquities Act. In fact, presidents have used the Antiquities Act 156 times to create national monuments and former President Obama set aside far more land as national monuments than any of his predecessors.

There are 73,480.77 acres of the State Trust Lands now landlocked within the Organ Mountains Desert Peaks National Monument prohibiting me from performing my fiduciary responsibility to generate revenue for New Mexico's public schools and other Trust beneficiaries.

Almost every state is experiencing a severe budget deficit and New Mexico is no exception. The revenue earned from oil, gas and mineral production, farming and ranching, and commercial development on State Trust Lands generates hundreds of millions of dollars every year to help supplement the depleted operating budgets of our Trust beneficiaries.

I believe it would serve in New Mexico's best interest to create small parcels reserving only the lands necessary for the preservation of cultural properties, as the Antiquities Act of 1906 intended. New Mexico's archaeological treasures have great significance in the Native American and Spanish colonial history of our state. These sites are irreplaceable and must be protected from both intentional and inadvertent damage.

Please let me know how else I can assist you in this effort.

Most Respectfully,


Aubrey Dunn
State Land Commissioner

Sierra County Sheriff's Office

 *2501 South Broadway*
Truth or Consequences, NM 87901
Sheriff Glenn C. Hamilton
Office: (575) 894-9150 Fax: (575) 894-7938

February 21, 2017

The Honorable Steven Pearce
United States Congress
New Mexico Congressional District 2
2432 Rayburn St.
Washington, D.C. 20515

Re: Support Presidential action to modify boundaries of Organ Mountains Desert Peaks National Monument (OMDPNM).

Dear Congressman Pearce:

As you are aware, in May 2014, President Obama used his authority under the Antiquities Act of 1906 to issue a proclamation designating 496,330 acres in Dona Ana County as the Organ Mountains Desert Peaks National Monument. It includes the Organ Mountains, Potrillo Mountains, Uvas Mountains and the Dona Ana Mountains. This designation envelopes *all* the high country in Dona Ana County which happens to be the most productive ranching country in the county.

Additionally, located within the OMDPNM boundaries are 80 sections of State Trust Lands and more than 11,000 acres of historic private lands associated with 44 ranching operations. Historically, the more restrictive federal management associated with national monuments will seriously impact the management of these ranching operations and may cause some of them to go out of business. This inevitable outcome will ultimately reduce tax revenues to the county tax-base and reduce revenues to the State of New Mexico from State Trust Lands and impact funding to our public schools.

The more restrictive management will also prohibit and curtail all recreational uses currently enjoyed by the public. Many of these recreational activities involve public gatherings such as Off-Road Trail Rides and Rock Climbing Events attended by enthusiasts world-wide. This equates to a loss in tourism dollars for area merchants and reduced revenues received by local governments as they relate to Sales Taxes and GRT dollars.



February 19, 2017

President Donald J. Trump
1600 Pennsylvania Ave.
Washington, DC 20006

Dear Mr. President:

We believe that the transnational criminal element plying America's Southern Border was knowingly presented a tactical advantage over America's border defenses when the Desert Peaks Monument Act was signed into law by Executive Order.

In fact we presented a Congressional Briefing at Las Cruces New Mexico outlining our assessment of the situation along the New Mexico Border with the Republic of Mexico prior to the enactment which is preserved in the three youtube videos below.

<https://www.youtube.com/watch?v=Qrz6k6MHn8I&index=4&list=PLZgh-ICwJq-sI5BipuSRUTFqmCMPqUgGY>

<https://www.youtube.com/watch?v=JtHR1cQR2Vg&index=3&list=PLZgh-ICwJq-sI5BipuSRUTFqmCMPqUgGY>

<https://www.youtube.com/watch?v=o7PiDPbV0z0&index=5&list=PLZgh-ICwJq-sI5BipuSRUTFqmCMPqUgGY>

This is not merely a New Mexico issue. This is a threat to American National Security and Public Safety which has been further documented by Judicial Watch.

In our view it is clearly in the National Interest that National Monument Status for the Desert Peaks be rescinded.

Zack Taylor, Chairman and Border Security Expert
National Association of Former Border Patrol Officers
NAFBPO.org

February 19, 2017

The Honorable Steven Pearce
U.S. House of Representatives
2432 Rayburn House Office Bldg.
Washington, D. C. 20515

Dear Rep. Pearce,

Many of us here in Dona Ana County, NM, have actively opposed the congressional designation of nearly 500,000 acres of federal land within the boundaries of our county, as wilderness and/or National Conservation Area since the legislation was introduced in 2005. With your help, the wilderness and NCA legislation was never passed by Congress.

Unfortunately, former Pres. Obama used his authority under the Antiquities Act of 1906 to issue a proclamation designating 496,330 acres in Dona Ana Co. as the Organ Mountains Desert Peaks Nat'l. Monument. It includes the Organ, Potrillo, Uvas, and Dona Ana Mountains. This designation envelops all the high country in Dona Ana Co., which is where the most productive ranching country and highly used recreational areas are located.

Additionally, located within the OMDPNM boundaries are 80 sections of State Trust Lands and more than 11,000 acres of historic private lands associated with 44 ranching operations. The more restrictive federal management of this new monument will seriously impact the management of these ranching operations and may cause some of them to go out of business.

Pres. Trump has the authority to modify the boundaries of national monuments. We ask you to help him see the foolishness of such a large national monument designation here in Dona Ana County and ask him to modify the boundaries of OMDPNM and release all but the Organ Mtns. region back to multiple use designation. Thank you in advance for anything you can do to rectify this situation.

Sincerely,

Donna O'Daniel
1634 E. Mulberry Ave., Apt. J1
Las Cruces, NM 88001



NEW MEXICO BUSINESS COALITION

POB 95735
Albuquerque, NM 87199

March 23, 2017

The Honorable Steven Pearce
United States Congress
New Mexico Congressional District 2
2432 Rayburn St.
Washington, D.C. 20515

Re: **Support Presidential action to modify boundaries of Organ Mountains Desert Peaks National Monument (OMDPNM).**

Dear Congressman Pearce:

I'm writing to you on behalf of hundreds of business owners and thousands of New Mexicans represented by New Mexico Business Coalition (NMBC). NMBC is a statewide Coalition as well as the NM Affiliate Group for the National Association of Manufacturing. We are a non-partisan advocacy organization working to change the business environment in New Mexico to one that fosters and promotes job creation and an improved quality of life for all New Mexicans.

As you are aware, in May 2014, President Obama used his authority under the Antiquities Act of 1906 to issue a proclamation designating 496,330 acres in Dona Ana County as the Organ Mountains Desert Peaks National Monument. It includes the Organ Mountains, Potrillo Mountains, Uvas Mountains and the Dona Ana Mountains. This designation envelopes all the high country in Dona Ana County which happens to be the most productive ranching country in the county.

Additionally, located within the OMDPNM boundaries are 80 sections of State Trust Lands and more than 11,000 acres of historic private lands associated with 44 ranching operations. Historically, the more restrictive federal management associated with national monuments will seriously impact the management of these ranching operations and may cause some of them to go out of business. This inevitable outcome will ultimately reduce tax revenues to the county tax-base and reduce revenues to the State of New Mexico from State Trust Lands and impact funding to our public schools.

While there were many things wrong with the designation of this monument, including the lack of transparency in the process, of most concern to our membership are the following:

1. Less than 15 percent of Dona Ana County is private property, so that limitations placed on surrounding federal property has a huge impact on overall economic activity and opportunities for growth;
2. The limitations placed on access and the ability to recreate;
3. And most importantly given the proximity to the border with Mexico is the negative impact this designation will have on Border Security. It seems the height of bad judgement to place restrictions on federal, state and local law enforcement in this particular area, which is why such entities as the Dona Ana County Sheriff and the National Association of Retired Border Patrol Officers opposed the designation.



NEW MEXICO FARM & LIVESTOCK BUREAU

2220 N. Telshor Blvd. • Las Cruces, NM 88011

® www.nmflb.org • (575)532-4700 • (575)532-4710 fax

7:53 FEB 22 P 5:59

LEGISLATOR STEVE PEARCE

February 13, 2017

The Honorable Steve Pearce
2432 Rayburn House Office Building
Washington, DC 20515

Congressman Pearce,

The New Mexico Farm and Livestock Bureau is over 19,000 members strong. As the state's largest agriculture organization representing all facets of agriculture and those who toil day after day in producing food and fiber, we have been on record as being in favor of a smaller land area for the Organ Mountain Desert Peaks National Monument.

The Presidential Proclamation signed under the Obama administration established a 500,000-acre monument or one fourth of the total acreage in Dona Ana County. This massive land designation did nothing to improve the ability of our members to become more productive in furnishing food and fiber for our great State of New Mexico and the rest of the United States but may have hampered the safety of our citizens due to the limited access from such a designation.

We support your effort to reduce the size of the Organ Mountains Desert Peaks National Monument to the smallest area needed to protect and preserve the objects in the Organ Mountains. This area coincides with your previously introduced HR 995 and a reduction of size to approximately 55,000 acres would ensure minimal impact on our members while also protecting the beauty of the Organ Mountains that we all love and cherish.

We greatly appreciate all that you have done for the citizens of New Mexico concerning the issues of regulations and designations without representation or due process.

Sincerely,


Craig Ogden
President

The following-described parcels of land, and all interests therein, are hereby excluded from the Organ Mountains Desert Peaks National Monument and restored to the public domain:

NEW MEXICO PRINCIPAL MERIDIAN

LEGAL DESCRIPTION OF THE BOUNDARIES OF THE POTRILLO MOUNTAINS COMPLEX, DESERT PEAKS COMPLEX, DONA ANA MOUNTAINS.

Subject to any valid interests or rights, the following described parcel of land is reserved as a part of the Organ Mountains Desert Peaks National Monument and the boundaries are as follows:

NEW MEXICO PRINCIPAL MERIDIAN

LEGAL DESCRIPTION OF THE BOUNDARIES OF THE ORGAN MOUNTAINS AS DEPICTED IN MAP OF FEBRUARY 6, 2013.

Nothing in this proclamation shall change the mandates described in Presidential Proclamation 9131 of May 21, 2014 for the proper care, management and protections of the objects of scientific and historic interest situated on lands within the monument

In Witness Whereof, I have hereto set my hand this XXXX day of XXXX, in the year of our Lord two thousand seventeen, and of the independence of the United States of America the two hundred and forty.

Signed President

House Report 2224 to accompany H.R. 11016 (same bill as S 4698) and entered into the record of the Committee of the Whole House, March 12, 1906. The bill "... will in the opinion of your committee accomplish the purpose desired. There are scattered throughout the Southwest quite a large number of very interesting ruins. Many of these ruins are upon the public lands, and the most of them are upon lands of but little present value. The bill ***proposes to create small reservations reserving only so much land as may be absolutely necessary for the preservation of those interesting relics of prehistoric times.***"

Discussion on the bill's third reading: Congressional Record-House, June 5, 1906.

"The SPEAKER. Is there objection?

Mr. STEPHENS of Texas. How much land will be taken off the market in the western states by the passage of the bill?

Mr. LACEY. Not very much. **The bill provides that it shall be the smallest area necessary for the care and maintenance of the objects to be preserved.**

Mr. STEPHENS of Texas. Would it be anything like the forest-reserve bill by which seventy or eighty millions acres of land in the United States have been tied up?

Mr. LACEY. Certainly not. The object is entirely different. **It is to preserve those old objects of special interest and the Indian remains in the pueblos of the Southwest, whilst the other reserves the forest and the water courses.**"

JUSTIFICATION FOR REDUCTION IN SIZE

ORGAN MOUNTAINS

The Organ Mountains footprint, 54,800 acres, contains examples of nearly all of the basic scientific and historic objects listed in Proclamation 9131 of May 21, 2014, Organ Mountains Desert Peaks National Monument, including the listed Endangered Species.

DONA ANA MOUNTAINS

The Dona Ana Mountains are already protected by being listed on the National Historic Register and managed under multiple use protocol by BLM. This mountain range did not qualify for Wilderness Study Area designation and does not exhibit extraordinary qualities that would set them apart for special designation.

POTRILLO MOUNTAINS COMPLEX

The Potrillo Mountains contain WSA designations and do not need further protective measures to preserve and protect the land area, as they are managed so as to prevent impairment of the area's suitability for preservation a wilderness (*Management of Wilderness Study Areas Manual*, 2012). Within the complex is Aden Crater, which is currently protected under a WSA and as a Research Natural Area. Kilbourne Hole is currently a National Natural Landmark since 1974. The Potrillo Mountains complex is a volcanic field of cinder cones, thick layers of basalt, craters and lava flows which make access very difficult and is not in any danger of being lost to vandalism. In its current undeveloped state, it is not in need of additional protective designations.

HISTORICAL OBJECTS

There are numerous WW II Bomb Targets throughout the Potrillo Mountain and Desert Peaks Complexes. These targets were generally mechanically constructed concentric circles ploughed in the ground. They are in a vaguely unrecognized condition and with an over grown vegetative canopy with bomb fragments scattered in the vicinity. They have been undeveloped or disturbed since their use during WW II. They are not easily found without the aid of a handheld GPS and; therefore, will be expected to stay in their current condition without further protection.

Many of the historical objects listed, such as the El Camino Real de Tierra Adentro, is a historic trail, and is outside the national monument boundary.

GENERAL TALKING POINTS

The proclamation designates 496,330 acres of federal land within the boundary of the OMDPNM. There are also 80 sections of New Mexico State Trust lands or an additional 51,200 acres. Within the boundary, 11,200 acres of private land are encumbered in the national monument. The management implications of the OMDPNM include many more acres of land because the ranches' boundaries included in the monument do not coincide with the monument boundaries. This contiguous land management area along with the state and private lands may approach 700,000 acres.

With less than fifteen percent of lands within Dona Ana County, reducing the management options for this land (11,200 acres) by being within the national monument is a potential loss to the tax base and well-being of the county. The other 85 percent of the land in Dona Ana County is in some form of federal or state ownership.

The 51,200 acres of state trust land will also lose the ability to generate maximum revenue for the state revenue designated for educational purposes.

FEDERAL LANDS ARE NOT UNPROTECTED

The Antiquities Act became law in 1906. Since then, the following laws have been enacted: Historic Sites Act of 1935, National Historic Preservation Act of 1966, Archeological and Historic Preservation Act of 1974, Archaeological Resources Protection Act of 1979, and the Native American Graves Repatriation Act of 1990. The Secretary of Interior has an abundance of authority to survey, identify study and preserve any site or object of archeological significance. A national monument designation is not necessary to protect these areas. All the agencies have to do is to implement existing law.

FLOOD CONTROL

Access restriction on roads, motorized vehicles and mechanical equipment impairs the ability of state and local government in maintaining existing flood control dams within the national monument, which presents a threat to public safety in the event of a 100 year flood.

PROCLAMATION REPEAL OF OMDPNM

Proclamation XXXX—Revising the Boundaries of the Organ Mountains
Desert Peaks National Monument
XXXX xx, 2017

By the President of the United States of America
A Proclamation

Whereas, the Organ Mountains Desert Peaks National Monument, New Mexico, was established for the preservation and protection of the objects of scientific and historic interest on the Organ Mountains-Desert Peaks land by Presidential Proclamation 9131 of May 21, 2014 by the authority vested in section 2 of the Antiquities Act (34 Stat 225, 16 U.S.C. 431);

Whereas, it appears that it would be in the public interest to exclude from the Organ Mountains Desert Peaks National Monument in New Mexico, certain lands that are not necessary for the proper care, management and protection of the objects of scientific and historic interest situated on lands within the monument;

Whereas, the lands to be excluded are within the boundaries of the map supplied by BLM to the Office of Senator Tom Udall dated April 13, 2016 and titled Desert Peaks Complex, Potrillo Mountains Complex and Dona Ana Mountains;

Whereas, it appears that it would also be in the public interest to establish the boundary for the Organ Mountains Desert Peaks National Monument as depicted in Organ Mountains National Monument, February 6, 2013 Map prepared by BLM for the Office of Congressman Steve Pearce;

Now, Therefore, I, Donald J. Trump, President of the United States of America, by virtue of the authority vest in me by Section 2 of the Act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 431) , do proclaim as follows:

SIERRA ALTA RANCH LLC
PO Box 417
Dona Ana, New Mexico 88032

Phone 575-526-2112; Cell 575-644-8841
tmobleyjr@comcast.net

February 12, 2017

The Honorable Steven Pearce
United States Congress, New Mexico
Congressional District 3
2432 Rayburn Building
Washington D.C. 20515

Re: Proclamation to reduce Organ Mountains-Desert Peaks National Monument

Dear Congressman Pearce,

I am writing in support of your efforts to reduce the size of the Organ Mountains-Desert Peaks National Monument.

I doubt very much that it is only a coincidence that the size and boundaries of the OMDPBN closely coincide with the New Mexico Wilderness Alliance "Wilderness Inventory" in Dona Ana County submitted to the Bureau of Land Management in 2003. NMWA called for 497,790 acres of Wilderness and National Conservation Areas. President Obama proclaimed 496,330 acres to be the minimum size to protect and manage an ambiguous array of objects.

I find it interesting that the narrative in the proclamation describing the objects to be protected is remarkably similar to the descriptions used in the NMWA Wilderness proposals. Aside from a few objects that can actually be located, most of the objects are descriptions of the landscape and its vegetation and wildlife.

Considering the above similarities and the knowledge that NMWA led the effort to gain the Presidential Proclamation, I strongly believe the OMDPNM was created as a land protective measure rather than to protect threatened objects of historical or scientific interest. Clearly that is not within the spirit of the Antiquities Act. Federal land protection falls within the purview of the Federal Land Policy and Management Act.

FLPMA, along with multiple environmental protection laws, adequately protects our federal lands now and for future generations. The multiple use concept allows the economic use of natural resources in a prudent manner, along with hunting and certain recreation uses.

Monument proponents laud the pristine lands within the monument, but do not acknowledge the protection of FLPMA.



Mesilla Valley Sportsman's Alliance

February 8, 2017

The Honorable Steven Pearce
United States Congress
New Mexico Congressional District 2
2432 Rayburn St.
Washington, D.C. 20515

Re: Support Presidential action to modify boundaries of Organ Mountains Desert Peaks National Monument (OMDPNM).

Dear Congressman Pearce:

In May 2014, President Obama, under the authority of the Antiquities Act of 1906, issued a proclamation designating 496,330 acres in Dona Ana County as the Organ Mountains Desert Peaks National Monument. This designation consumes **all** the high country in Dona Ana County which is not only the most productive ranching country in the county but also offers tremendous recreational opportunity for Mesilla Valley sportsmen including the Organ Mountains, Potrillo Mountains, Uvas Mountains and the Dona Ana Mountains.

The Mesilla Valley Sportsman's Alliance (MVSA) is an organization representing over 700 hunters and recreationalists in Dona Ana County. We estimate that fully 50% of the hunters and recreationalists we represent fall into an age category outside the age range of fifteen to thirty-five years and are avid outdoorsmen spanning four generations in some instances, all with high regard for the recreational opportunities that once was assured on our federal land in New Mexico.

Here in the desert southwest, motorized access for recreational activity is crucial, if not imperative, for most people to reasonably access these areas for whatever recreational activity they enjoy.

We ask you to help President Trump see the extreme overreach of former President Obama in his designation of such a large national monument here in Dona Ana County and modify the boundaries of OMDPNM to include only the Organ Mountains region and revert the remaining mountain regions back to a multiple use management.

Respectfully,

/s/ *Byron Delk*

Byron Delk, Chairman
9605 Dona Ana Rd
Las Cruces, NM 88007

January 20, 2017

Lynda M. Huff
1807 Brown Road,
Las Cruces, NM 88005

President Trump;

I requesting that you use your authority under the American Antiquities Act of 1906 to reduce the size of the Organ Mountain Desert Peaks National Monument (OMDPNM) that the former president established against the wishes of the majority of residents of Doña Ana County, New Mexico. This 600,000 plus acre national monument clearly violates provision 2 of the Act of creating a monument that should be "*confined to the smallest area compatible with proper care and management of the objects to be protected*".

The bottom left portion of the monument, which is within a few miles of the US/Mexico border, is an open invitation to human smugglers to use it as a law enforcement free corridor to bring their human cargo into our country.

Many times people that think they are being led by someone who is there to help them cross the border illegally, become victims of viscous crimes such as rape, robbery, and even murder.

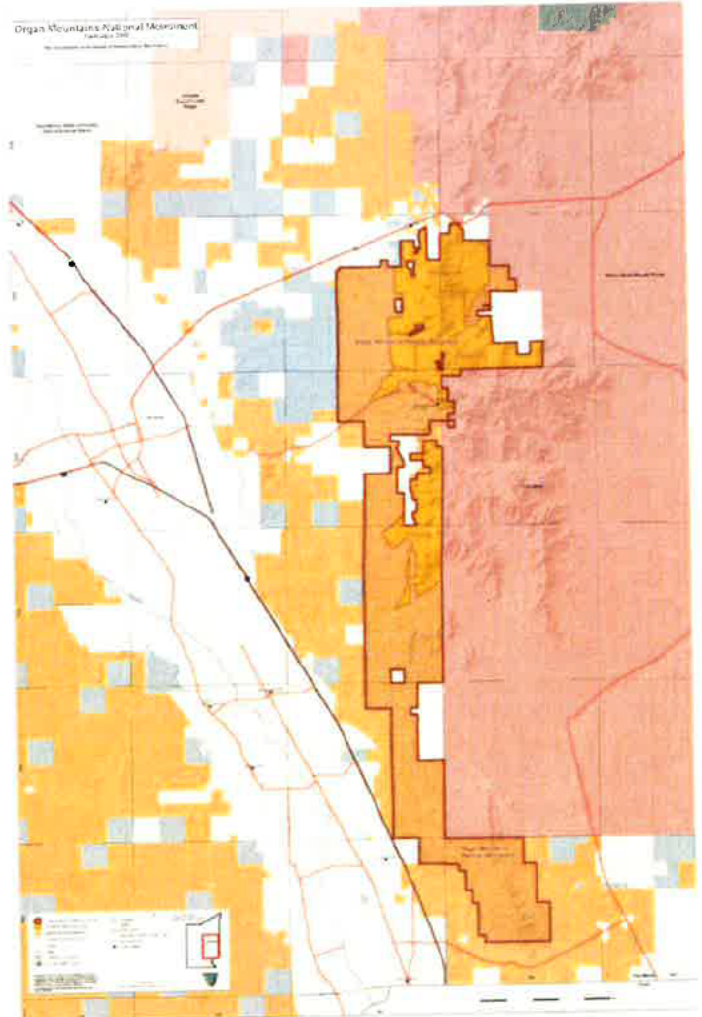
You were correct when you called out these criminals as rapists and murderers. Not only do they rape women that have trusted them to bring them across the border, they brazenly brag about their crimes by hanging the victims under garments on trees to show that they can do this and get away with this crime because these women are here illegally.

Look at these horrifying photos of these "rape trees" Pay special attention to the fact that many of these victims are very young girls. What a tragedy! Most of these particular crimes take place in the Organ Pipes National Monument in Arizona. This national monument is right on the US/Mexico border, just like the OMDPNM here in Doña Ana County.



This is a terrifying thought and I implore you to use your authority under the American Antiquities Act of 1906 to reduce this the OMDPNM to a more reasonable size that will not create another nightmare that we have in the Organ Pipes National Monument.

In 2013, Congressman Pearce (NM2) introduced a bill, HR 995, which would have created a national monument of a more reasonable size of about 55,000 acres that would not create the type of law enforcement free zone that we have in Arizona. My request is that you reduce the OMDPNM as currently designated circled in red on the map on the left to what Congressman Pearce suggested with his 2013 HR 995 proposal (right).



A resized OMDPNM would no longer offer the opportunity for rapist and murderers a safe haven to conduct their activities in a law enforcement zone. This is an opportunity to correct one of many of the former presidents land grabs done solely to placate the environmental community, over the objections of the majority of the local residents.

Thank you for your consideration,

Lynda M. Huff



Dr. Jerry Schickedanz
Evelyn Linebery Distinguished Chair
Linebery Policy Center for Natural Resource Management
New Mexico State University
P.O. Box 30003
MSC 3AE
Las Cruces NM, 88003
(575) 646-5181
jeschick@nmsu.edu

February 10, 2017

The Honorable Steven Pearce
United States Congress, New Mexico
Congressional District 3
3432 Rayburn Office Building
Washington DC 20515

Re: Reduction of the size of the Organ Mountains Desert Peaks National Monument

Dear Congressman Pearce,

The Linebery Policy Center for Natural Resource Management is concerned about the well-being of the range livestock industry in New Mexico and the southwest. We have been very troubled that a national monument was designated over the objections of the local livestock producers and private business in Dona Ana County. The producers had major concerns that any additional protective land designation would reduce their ability to conduct proven standard ranching practices.

The national monument designation has been very disruptive to any long term planning because a federal resource management plan is at least five years in development. They have been waiting for the current planning process to become final for over eight years and it is still not completed.

The policy center recommends that the boundary for the monument be adjusted to a smaller size to allow the majority of the Bureau of Land Management lands to be managed under "Multiple Use". This will provide maximum flexibility for managing these lands for their productive potential.

Sincerely,

Jerry G. Schickedanz,
Evelyn Linebery Chair of Agriculture

April 25, 2017

The Honorable Steven Pearce
United States Congress, new Mexico Congressional District 3
2432 Rayburn
Washington, DC 20215

Re; Luna County Farm and livestock Bureau recommends the modification of the Organ Mountain Desert Peaks National Monument (OMDPNM)

Dear Congressman Pearce:

The Luna County Farm and Livestock Bureau is very concerned about the size of the Monument and the dire implications for the future of Luna and Dona Ana Counties, New Mexico. The nominal acreage of 496,330 acres is the federal portion of the designation. There is an additional 80 section (51,200 acres) of state trust lands and at least 11,200 acres of private holdings within the Monument. That cumulative total of 558,730 acres is further impacted by "associated extension of lands" outside the footprint, but within the administrative boundaries of the ranch pastures. There is a number being bandied around that suggests that 751,000 acres of permitted ranch lands are actually involved. The reality is, when any part of the 44 permitted ranches are impacted, every ranch is impacted in its entirety.

More specifically, the Potrillo Mountain section of the monument must be released in its entirety on the basis of national security, bio security, watershed improvement, brackish and geothermal water sourcing, the Hawley dome of fresh water, historic range management, private and state trust land isolation, solar energy development and transmission, and international trade.

The Las Uvas Mountain section of the monument must be released in its entirety on the basis of national security, watershed improvement, flood control and early warning rain events, brackish and geothermal water sourcing, historic range management, state trust land isolation, imbedded private land holdings, energy transmission, vital rail rights of way, relief of pressure on irrigated agricultural resources, water banking, the operation of the Magdalena Peak FAA radar site, and the growth of the Dona Ana County on the basis of industrial, residential, and airport requirements.

That leaves the matter of the Dona Ana Mountains and the central theme of the monument, the Organ Mountains. In your previous, proposed legislation, the consideration of the least footprint to encompass the value to be protected, the acreage was set forth as 54,800. That benchmark defines a least intrusive footprint which was the actual spirit to the AA, but remains well above the John Lacey (D-IA) leadership and promise of congressional debate on lands more than 320 acres back when the legislation was passed in 1906. That brings the recommendation herein by the Luna County Farm and Livestock Bureau, impacted by border and cross border affairs, to strongly suggest the following:

- Recommend to the Trump Administration to immediately reduce the footprint to the only marker that remotely complies with the AA and that is the HR 995 model.
- Rewrite the Presidential Proclamation to follow the tenants of AA which limits objects to historic and scientific.

Feb 4, 2017

The Honorable Steven Pearce
United States Congress
New Mexico Congressional District 2
2432 Rayburn St.
Washington, D.C. 20515

Re: Support Presidential action to modify boundaries of Organ Mountains Desert Peaks National Monument (OMDPNM).

Dear Congressman Pearce:

I am sure you are aware of the resistance many of us in Dona Ana County have actively participated in against the congressional designation of nearly 500,000 acres of federal land within the boundaries of Dona Ana County, as wilderness and/or National Conservation Area (NCA) since Senators Bingaman and Udall first introduced their legislation in 2005.

With your help, the wilderness and NCA legislation was never able to garner the necessary support to be passed by Congress. So, as a last resort, the proponents of legislation to apply a more restrictive use designation to these federal lands, convinced President Obama to use his authority under the Antiquities Act of 1906 to issue a proclamation designating 496,330 acres in Dona Ana County as the Organ Mountains Desert Peaks National Monument. It includes the Organ Mountains, Potrillo Mountains, Uvas Mountains and the Dona Ana Mountains. This designation envelopes **all** the high country in Dona Ana County which happens to be where the most productive ranching country and highly-used recreational is also located.

Additionally, located within the OMDPNM boundaries are 80 sections of State Trust Lands and more than 11,000 acres of historic private lands associated with 44 ranching operations. The more restrictive federal management of this new monument will seriously impact the management of these ranching operations and may cause some of them to go out of business. The more restrictive management will also restrict all recreational uses currently enjoyed by the public.

We know President Trump has the authority to modify the boundaries of national monuments.

We ask you, Congressman Pearce, to help the President see the utter senselessness of such a large national monument designation here in Dona Ana County and ask him to modify the boundaries of OMDPNM and release all but the Organ Mountains region back to multiple use designation.

Sincerely yours,
David Beyer
President, Las Cruces Four Wheel Drive Club
Po Box 1344
Las Cruces, NM 88004

January 23, 2017

The Honorable Steven Pearce
United States Congress, New Mexico, Congressional District 2
2432 Rayburn
Washington, DC 20515

Re: Support Presidential action to modify boundaries of Organ Mountains Desert Peaks National Monument (OMDPNM).

Dear Congressman Pearce:

I'm sure you are aware of the resistance many of us have actively participated in, here in Dona Ana County, against the designation of nearly 500,000 acres of our federal land as wilderness area and/or National Conservation Area (NCA) since September of 2006.

With your help, the wilderness and NCA legislation was never able to garner the necessary support to be passed by Congress. So, as a last resort, the proponents of legislation applying a more restrictive use designation to these federal lands, convinced President Obama to use his authority under the Antiquities Act of 1906 to issue a proclamation in 2014 designating 496,330 acres of all the high country in Dona Ana County as the Organ Mountains Desert Peaks National Monument. It includes the Organ Mountains, Potrillo Mountains on the Mexican border, Uvas Mountains and the Dona Ana Mountains . . . all of the most productive ranching country and highly-used recreational areas in Dona Ana County.

Within the monument boundaries, are 80 sections of State Trust Land and more than 11,000 acres of private land. The more restrictive federal management of this new monument will seriously impact the management of 44 cattle ranching operations as well as any and all recreational uses currently enjoyed by the public.

We know President Trump has the authority to modify the boundaries of national monuments and we ask you help him see the senselessness of such a large monument designation here in Dona Ana County and ask him to modify the boundaries of the OMDPNM and release all but the Organ Mountains region back to multiple use designation.

More specifically:

- Release the Potrillo Mountain section of the monument in its entirety on the basis of national security, biosecurity, watershed improvement, brackish and geothermal water sourcing, the Hawley dome of fresh water, historic range management, private and state trust land isolation, solar energy development and transmission, and international trade.
- Release the Las Uvas Mountain section of the monument in its entirety on the basis of national security, watershed improvement, flood control and early warning rain events, brackish and geothermal water sourcing, historic range management, state trust land isolation, imbedded private land holdings, energy transmission, vital rail rights-of-way, relief of pressure on irrigated agricultural resources, water banking, the operation of the Magdalena Peak FAA radar site, and the growth of the Dona Ana County on the basis of industrial, residential, and airport requirements.



VILLAGE OF HATCH

March 24, 2017

Steve Pearce
U.S. Congress
Second Congressional District
570 N. Telshor Blvd.
Las Cruces, NM 88011

Dear Sir,

The Village of Hatch New Mexico's Honorable Mayor Andy Nunez, Village Trustees Robert Torres, Kathie Franzoy, Robert Martinez, and G. Dennis Torres, have, at a regular monthly meeting of the Village; unanimously agreed to support your efforts to amend the "Organ Mountains – Desert Peaks Conservation Act".

Issues of concern are "over-reach" of the Act, that limit needed access to grazing land, water resources for livestock, and restricts access to hunting and recreation uses. Law enforcement mobility within these lands is also seriously limited.

There is no question that we New Mexicans must protect and preserve beautiful and sensitive areas of our State, however we must not over-reach in attempts to protect these natural resources. This Act has negative impacts on our ranching families that have for many generations been the stewards of these very same lands and have responsibly protected and cared for so well.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy Nunez", is written over a horizontal line.

Andy Nunez, Mayor

February 2, 2017

The Honorable Steven Pearce
United States Congress
New Mexico Congressional District 2
2432 Rayburn St.
Washington, D.C. 20515

Re: Support Presidential action to modify boundaries of Organ Mountains Desert Peaks National Monument (OMDPNM).

Dear Congressman Pearce:

I am sure you are aware of the resistance many of us in Dona Ana County have actively participated in against the congressional designation of nearly 500,000 acres of federal land within the boundaries of Dona Ana County, as wilderness and/or National Conservation Area (NCA) since Senators Bingaman and Udall first introduced their legislation in 2005.

With your help, the wilderness and NCA legislation was never able to garner the necessary support to be passed by Congress. So, as a last resort, the proponents of legislation to apply a more restrictive use designation to these federal lands, convinced President Obama to use his authority under the Antiquities Act of 1906 to issue a proclamation designating 496,330 acres in Dona Ana County as the Organ Mountains Desert Peaks National Monument. It includes the Organ Mountains, Potrillo Mountains, Uvas Mountains and the Dona Ana Mountains. This designation envelopes **all** the high country in Dona Ana County which happens to be where the most productive ranching country and highly-used recreational is also located.

Additionally, located within the OMDPNM boundaries are 80 sections of State Trust Lands and more than 11,000 acres of historic private lands associated with 44 ranching operations. The more restrictive federal management of this new monument will seriously impact the management of these ranching operations and may cause some of them to go out of business. The more restrictive management will also restrict all recreational uses currently enjoyed by the public.

We know President Trump has the authority to modify the boundaries of national monuments.

We ask you, Congressman Pearce, to help the President see the utter senselessness of such a large national monument designation here in Dona Ana County and ask him to modify the boundaries of OMDPNM and release all but the Organ Mountains region back to multiple use designation.

Sincerely yours,



Phil Harvey, Jr.
924 Raleigh Rd.
Las Cruces, NM 88005

January 20, 2017

Fred D. Huff
1807 Brown Road,
Las Cruces, NM 88005

President Trump;

I am requesting that you use your authority under the American Antiquities Act of 1906 to reduce the size of the Organ Mountain Desert Peaks National Monument (OMDPNM) that the former president established against the wishes of the majority of residents of Doña Ana County, New Mexico. This 600,000 plus acre national monument clearly violates provision 2 of the Act of creating a monument that a monument should be "confined to the smallest area compatible with proper care and management of the objects to be protected".

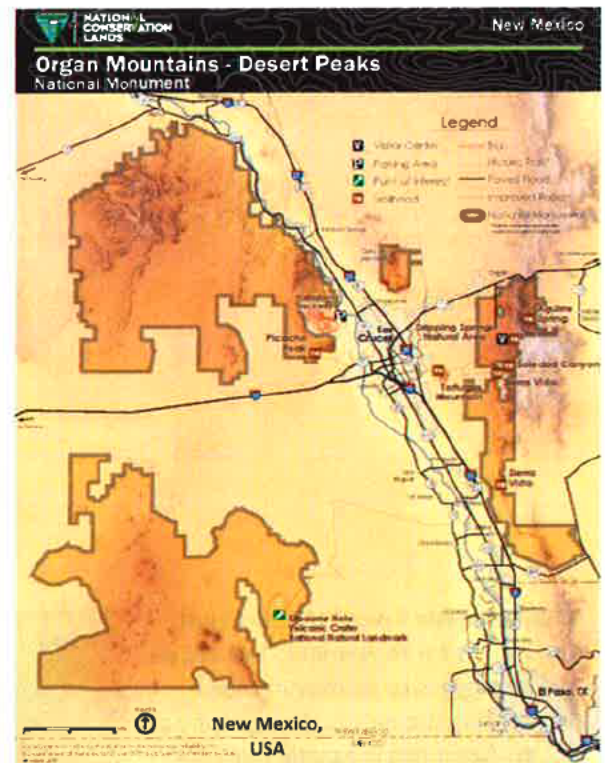
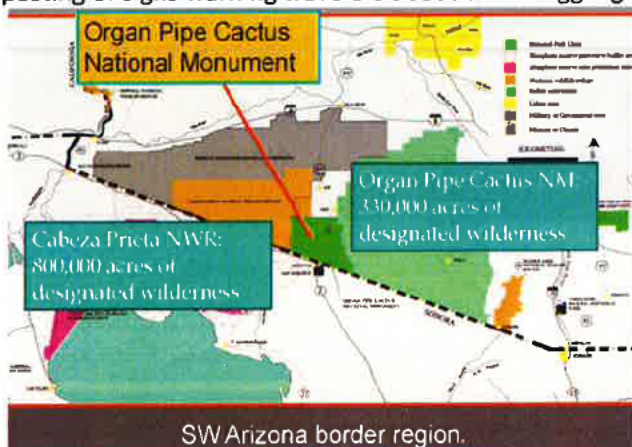
Not only is the OMDPNM many times the size needed to protect the objects to be protected, **it is a serious threat to National Security** since a large portion of it sits within a few miles of the US/Mexico border.

Several years ago The National Association of Former Border Patrol Officers (NAFBPO) identified six characteristics for the perfect drug smuggling corridor. They are:

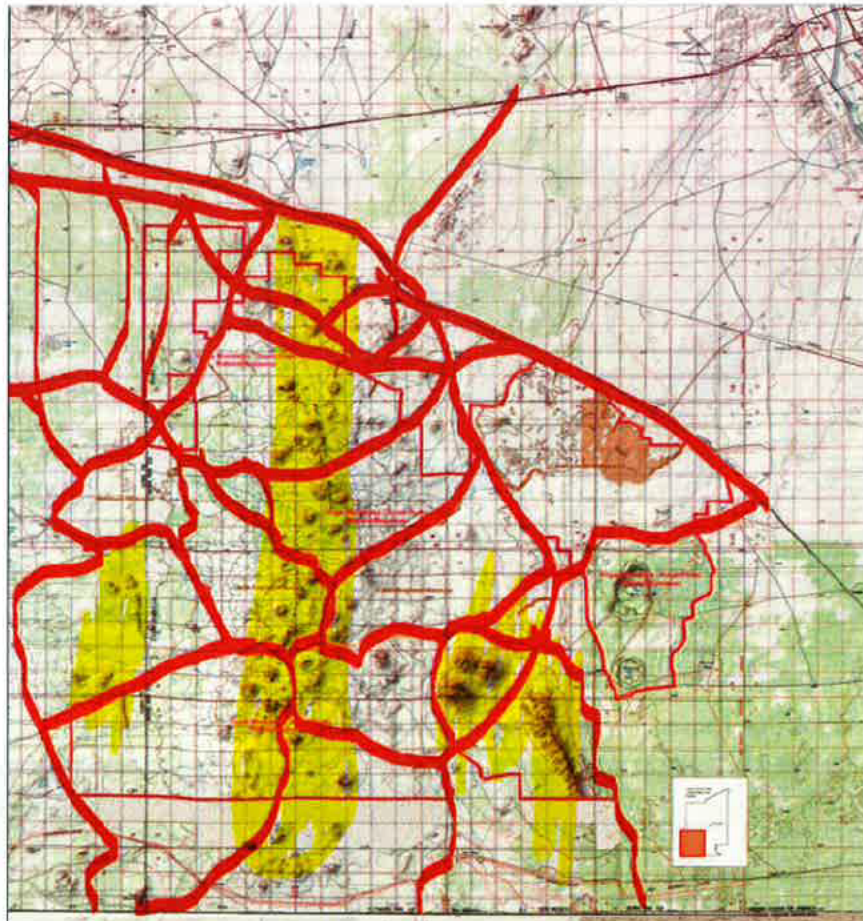
1. Restrictive federal land designations that limit or prohibit effective law enforcement activities and provide criminal safe havens
2. East/West roads to provide access to the north and south of the region
3. North/South mountain and drainage orientation to provide channels for movement
4. Mountains providing lookout points on both sides of lowlands routes
5. Immense isolated and rural expanses of land
6. Limited presence of American citizens with private property rights at risk

Characteristic 1 is self explanatory. Whenever any Federal land gets any designation beyond multiple use, restrictions on access follow.

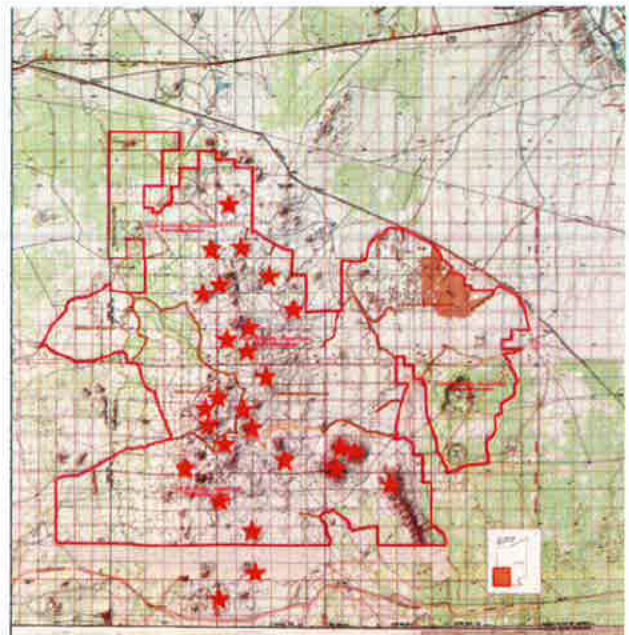
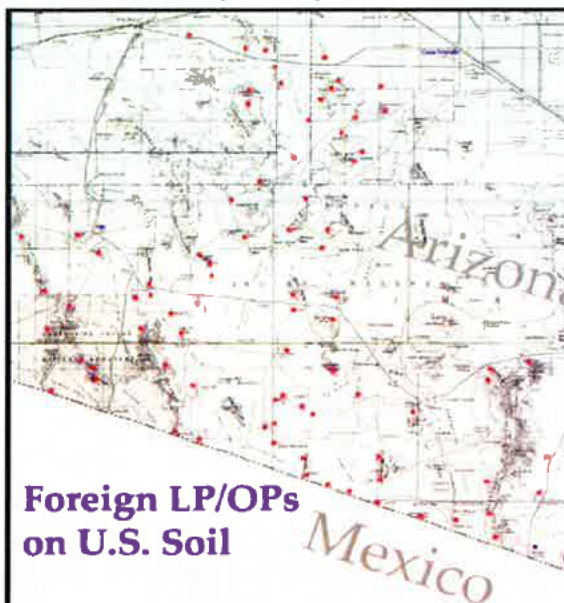
These restrictions apply to Border Patrol and all other law enforcement officials. These restrictions in the Organ Pipe Cactus National Monument in Arizona, which is also on the US/Mexico border have proven that illegals take advantage of this black hole of law enforcement and have forced the posting of signs warning travelers about the smuggling:



Not only does the exact same situation exist with the OMDPNM, the area is laced with over a hundred miles of existing roads that make travel extremely easy. In a few years, when the management plan is finalized, many of these roads will be closed to US citizens and then become the exclusive pathways for the smugglers, just as happened in the Organ Pipes National Monument.



Characteristic 4 needs mountains to provide lookout points for the smugglers to be able to follow the movements of US law enforcement. The red dots on the map of the Organ Pipes area (left below) shows identified lookout points that are being used. OMDPNM provides these same opportunities for lookout points. And remember that this monument has a spider web of already developed roads.

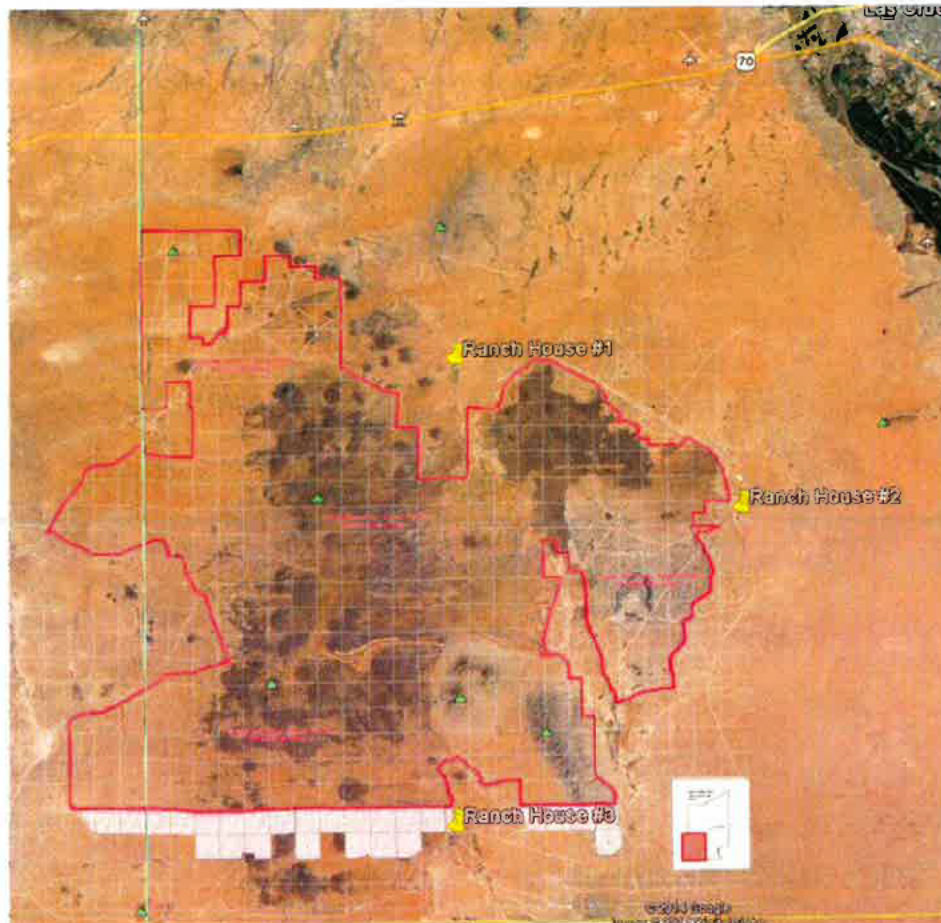


Characteristic 6 needs a limited presence of American citizens. In the Organ Pipes National Monument, the historic ranchers have been driven out. Now those old abandoned houses are just stop over points for the smugglers.



Historic Blankenship Ranch, adjacent to the border, has been subject to vandalism and fire. Mesquite posts from the ranch corral have slowly disappeared over the years for firewood.

In the OMDPNM section near the US/Mexico border, there are currently only three ranches that are currently inhabited.



Vandalism is rampant and many precious plants have been destroyed.



Vandalism to vegetation

As a result, the Organ Pipes National Monument has been declared the "Most Dangerous" monument in the United States.



Arizona Park "Most Dangerous" in U.S.

Tom Clynes
for National Geographic News
January 13, 2003

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The park rangers at Arizona's Organ Pipe Cactus National Monument wear camouflage, carry assault rifles, and chase drug smugglers through the blazing desert. They're at the front lines of a violent border war—and they're losing.

In August, a park ranger, 28-year-old Kris Eggle, was killed while helping Border Patrol agents catch two men suspected by Mexican officials in a drug-related quadruple murder. The men had driven a stolen SUV through one



Park ranger Julie Horne tracks a group of suspected marijuana smugglers just north of the Mexican border in Organ Pipe Cactus National Monument.

Photograph copyright Tom Clynes

February 24, 2017

Congressman Steve Pearce
2432 Rayburn House Office Building
Washington, DC 20515


Congressman Pearce,

As the past Elected Sheriff of Dona Ana County (DAC), I opposed and fought to stop the designation of one fourth of the land area in DAC from becoming a National Monument. My fight came as the proposed monument, known as the Organ Mountain Desert Peaks National Monument (OMDPNM), taking in 498,300 acres, would greatly limit access required for law enforcement's routine patrols of these lands.

As we both know, federal law enforcement of these lands is very limited, if it occurs at all. Most of the problems and crimes that occur on these lands fall to the local Sheriff's office to handle. Much of this monument is located near the US border with Mexico and is known for its drug and human smuggling routes. To do our jobs and serve the public using these lands, law enforcement requires unfettered access allowing officers and needed equipment into the area. Such access is not possible or allowed in a national monument and, at best, is very limited.

As a long-time law enforcement officer of DAC and as the past Elected Sheriff, I support reducing the OMDPNM to the 55,000-acre footprint which is the Organ Mountains and the associated Sierra Vista Trail. The Organ Mountains are very rugged and have very limited vehicle access. Our law enforcement and search and rescue teams are equipped and able to serve the public in these areas very well and have for some time. Reducing the size of the national monument would be beneficial for public safety and greatly assist in the border security we desperately need.

Sincerely,

A handwritten signature in black ink, appearing to read 'Todd Garrison', with a long horizontal line extending to the right.

Todd Garrison
Retired Sheriff
Dona Ana County

February 15, 2017

The Honorable Steven Pearce
United States Congress
New Mexico Congressional District 2
2432 Rayburn St.
Washington, D.C. 20515

Re: Support Presidential action to modify boundaries of Organ Mountains Desert Peaks National Monument (OMDPNM).

Dear Congressman Pearce:

As you are aware, in May 2014, President Obama used his authority under the Antiquities Act of 1906 to issue a proclamation designating 496,330 acres in Dona Ana County as the Organ Mountains Desert Peaks National Monument. It includes the Organ Mountains, Potrillo Mountains, Uvas Mountains and the Dona Ana Mountains. This designation envelopes *all* the high country in Dona Ana County which happens to be the most productive ranching country in the county.

Additionally, located within the OMDPNM boundaries are 80 sections of State Trust Lands and more than 11,000 acres of historic private lands associated with 44 ranching operations. Historically, the more restrictive federal management associated with national monuments will seriously impact the management of these ranching operations and may cause some of them to go out of business. This inevitable outcome will ultimately reduce tax revenues to the county tax-base and reduce revenues to the State of New Mexico from State Trust Lands and impact funding to our public schools.

The more restrictive management will also restrict and curtail all recreational uses currently enjoyed by the public.

We ask you, Congressman Pearce, help President Trump see the utter senselessness of such a large national monument designation here in Dona Ana County, done to advance an extreme environmental progressive agenda, and ask him to modify the boundaries of OMDPNM to retain only the Organ Mountain Region and release all other mountain regions within the monument back to multiple use designation.

Sincerely yours,

/s/ *Eli and Janine Estrada*

**Eli and Janine Estrada
5895 Smokethorn Dr.
Las Cruces, NM 88007**

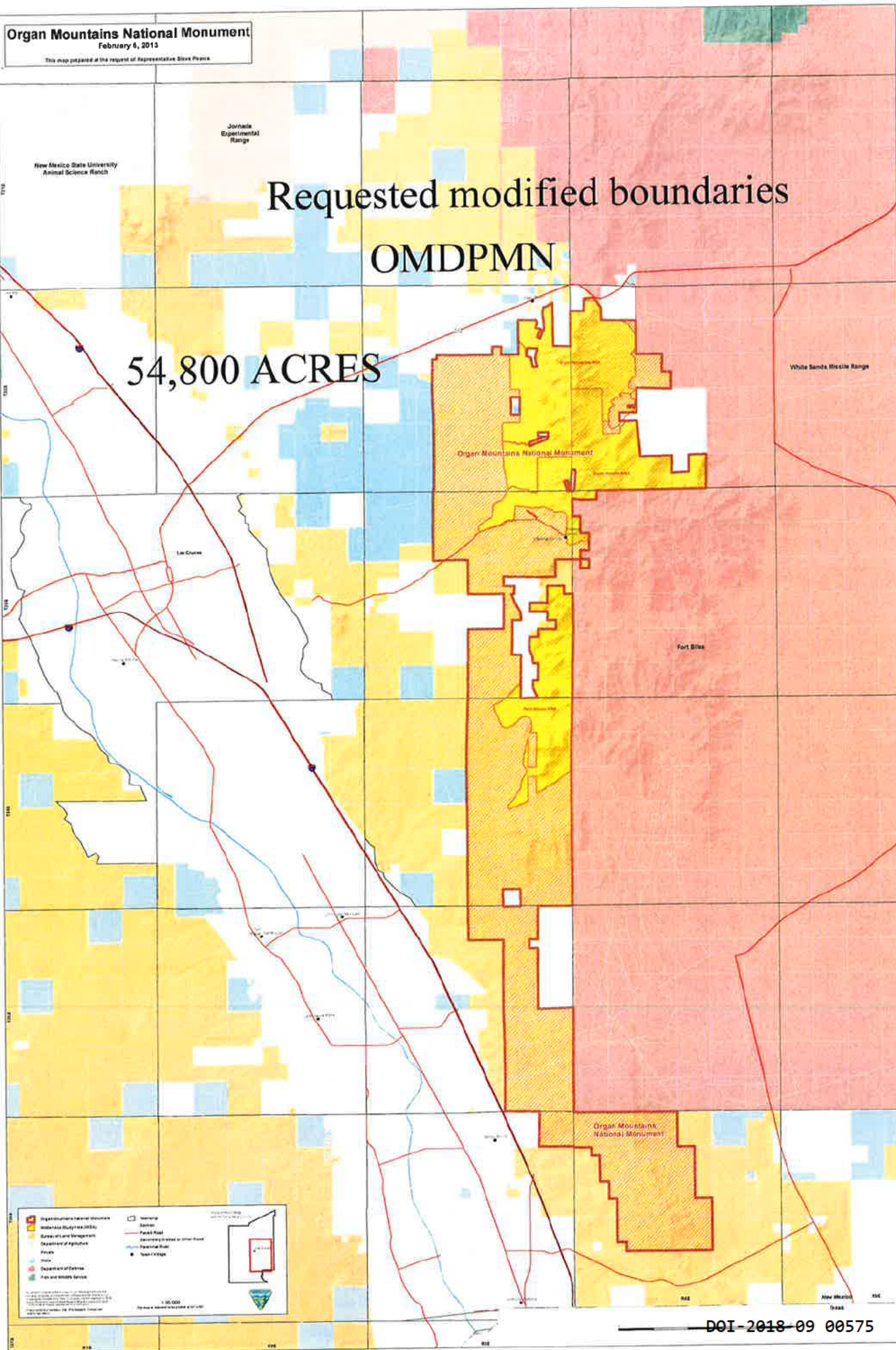
Organ Mountains National Monument
February 6, 2013

This map prepared at the request of Representative Steve Pearce

Requested modified boundaries

OMDPMN

54,800 ACRES



Greg Carrasco

2600 Apodaca Road, Las Cruces, NM 88005 O: 575-528-7107; M: 575-649-5268

February 10, 2017

The Honorable Steven Pearce
United States House of Representatives
New Mexico Congressional District 2
2432 Rayburn Street
Washington, D.C. 20515

**Re: Request for Presidential action to modify the boundaries of Organ
Mountains Desert Peaks National Monument (OMDPNM)**

Dear Congressman Pearce:

Please allow this letter to serve as my petition to President Donald J. Trump to use his authority to reduce the size of the OMDPNM from the 496,333 acres included within President Obama's proclamation on May 21, 2014. I respectfully request that the boundaries of the OMDPNM be reduced to that approximately 54,800 acres as shown on the attached map.

The American Antiquities Act of 1906, Section 2, provides the President the authority to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest.....the limits of which in all cases shall be confined to the smallest area compatible with proper care and management of the objects to be protected."

The misapplication of the American Antiquities Act of 1906, has generally resulted in the application of another layer of Federal restrictions and management across large swaths of the Western States. The restricted uses negatively impacts the community and especially the citizens that have worked, developed, and protected these lands.

The history of multi-use within national monuments has certainly not been favorable across the West. The need for timely action on this matter is needed before such negative impacts are realized. In this area we have watched the impact to border safety in Arizona within national monuments and wilderness areas, and simply do not want this area to become established as a similar corridor for human trafficking, drugs, and other illegal activities.

In this area, without water provided from private sources (ranchers) there is no permanent water sources to support the wildlife. The culture of the area includes a long history of cattle ranching and that culture should be valued and respected.

President Donald Trump
The White House
1600 Pennsylvania Ave. NW
Washington, DC 20500

09 March 17

Mr. President,

The American Gun Culture Club of Las Cruces is a group of people who believe in the greatness of America and who strives to protect our Second Amendment rights.

Our club has many concerns about Obama's designation of the Organ Mountains-Desert Peaks, but the most important are:

- It was a gross overreach of federal power and a distortion of the Antiquities Act
- The "listening session" conducted by Secretary Jewell was a farce, with environmental advocates bussed in from all over the state
- The designation will limit recreational access by club members
- The designation places restrictions and limitations on federal, state and local law enforcement

Mr. President, your Secretary of Homeland Security has testified the southwest region is a "gaping hole" in border defenses. Diminishing the size of this monument will result in the Border Patrol once again having unfettered access, having a positive effect on Border Security and the health and welfare of our residents.

There is a consensus within our community to preserve the Organ Mountains as proposed by Rep. Pearce. There was no consensus on the rest of these lands, which is why so many local individuals and organizations opposed the original designation.

Please take a positive step in protecting our border and righting a wrong by using your authority to diminish the size of this designation to the Organ Mountains proper.

Sincerely,

Sig.

Bev Courtney
Founder + President; AGCC

Cc: U.S. Representative Steve Pearce

Bev Courtney
3037 Missouri Ave.
Las Cruces NM 88001
575-642-1003



*Center for Law &
Human Behavior*

March 1, 2017

The Honorable Steven Pearce
United States Congress, New Mexico, Congressional District 3
2432 Rayburn
Washington, DC
20515

Re: The Organ Mountains Desert Peaks National Monument

Dear Congressman Pearce:

As the new Congress and the incoming Administration assess the impact of the southern border on our nation's security, it is important to review the matter of the Organ Mountains Desert Peaks National Monument in southern New Mexico.

As a former Sector Chief of both the El Paso and Tucson sectors of the Border Patrol and continuing in my current position as the Project Director for the Center for Law & Human Behavior, my assessment of the danger posed by certain federal lands on the international border remains consistent. Where large rural expanses of lands occur with conditional or restricted access, cross border illicit entry will pose a real and constant danger. When you talk about the Sinaloa and others, people often forget that these cartels are businesses. They are nimble, their intelligence is superb, and they will adjust or take advantage of every tactical opportunity.

One opportunity of highest interest remains the expanse of rural border lands where American presence on a daily basis is limited. It is there the cartels found unprotected points of entry. For many years, the entry through those areas was ignored because of the risks and the logistical difficulties they posed. Enforcement operation to mitigate illegal immigration flows in urban areas (Hold the Line in El Paso, Safeguard in Arizona, and Gate Keeper in San Diego), however, were successful, and the routes into the rural areas proved to be difficult but successful alternatives. A whole new avenue of entry was revealed.

*500 W. University Ave.
Prospect Hall
Room 226
El Paso, Texas
79968
(915) 747-5920*



Council of Border Conservation Districts

c/o Deming SWCD, 405 E. Florida, Deming, NM 88030 (575) 546-9692

January 20, 2017

The Honorable Steven Pearce
United States Congress, New Mexico, Congressional District 3
2432 Rayburn
Washington, DC
20515

Re: Council of Border Conservation Districts (CBCD) recommendations of modification to the Organ Mountain Desert Peaks National Monument (OMDPNM)

Dear Congressman Pearce:

As you are aware, the sheer size of the Monument has dire implications for the future of Dona Ana (and Luna) County(ies), New Mexico. The nominal acreage of 496,330 acres is merely the federal portion of the designation. There is an additional 80 sections (51,200 acres) of state trust lands and at least 11,200 acres of private holdings within the Monument. That cumulative total of 558,730 acres is further impacted by "associated extension of lands" outside the footprint, but within the administrative boundaries of the ranch pastures. There is a number being bandied around that suggests that 750,000 acres of permitted ranch lands are actually involved. The reality is, when any part of the 44 permitted ranches are impacted, every ranch is impacted in its entirety.

The Monument was not driven by local customs and culture nor was it ever considered seriously on the basis of its impact on national security.

The use of the Antiquities Act (AA) for the designation with its explicit requirement for the president to justify his actions on the least footprint to safeguard only specific objects of historic or scientific merit is blatantly extra legal. Never has an object of "historic" significance been set forth nor was there a single object of specified scientific safekeeping discussed. Rather, the extralegal values not included in AA of scenic, ecological, environmental and archeological are the vanguards for the designation. As such, executive and legislative mitigation must be carried out to rectify this blatant misuse of executive powers.

More specifically, the Potrillo Mountain section of the monument must be released in its entirety on the basis of national security, biosecurity, watershed improvement, brackish and geothermal water sourcing, the Hawley dome of fresh water, historic range management, private and state trust land isolation, solar energy development and transmission, and international trade.

The Las Uvas Mountain section of the monument must be released in its entirety on the basis of national security, watershed improvement, flood control and early warning rain events, brackish and geothermal water sourcing, historic range management, state trust land isolation, imbedded private land holdings, energy transmission, vital rail rights-of-way, relief of pressure on irrigated agricultural resources, water

Wesley Eaton
13395 Montes Rd.
La Mesa, NM 88044

February 13, 2017

Congressman Pearce,
United States House of Representatives
New Mexico Congressional District 2
2432 Rayburn House Office Building
Washington, D.C. 20515

Re: Reduction of size of the Organ Mountains Desert Peaks National Monument.

Dear Congressman Pearce,

The Organ Mountains Desert Peaks National Monument designated by President Obama that contains 496,333 acres and will include a much, much larger footprint as it pertains to management. This vast land grab by our federal government has done nothing to improve our way of life and way of making a living, not to mention hurting our state and private lands while hampering how our local community can manage these lands.

We already see drug trafficking and illegal aliens on these lands and the addition of this Monument has made it much harder for local law enforcement to police these areas.

Our two ranch allotments lie on the east side of the monument along the Organ Mountains totaling about 46,080 acres of which 29,440 acres lie within the OMDPNM. We have 4 wells, 2 working pens and 9 dirt tanks and El Paso Electric has two main distribution lines and Magellan Pipeline has a major Natural gas line all within the boundary of OMDPNM. In my opinion this is hardly the representation of what the Antiquities Act was set up to do. All this is doing is adding more restrictions to these lands, creating even more economic hardship to families like us that use these lands as "Multiple Use".

Furthermore these restrictions make it increasingly difficult to make improvements like water and brush control that benefit animals on these lands. In our area we have a major invasive plant the creosote bush which causes terrible effects to grass and soil health, the monument will limit our ability to do brush control that would improve these lands.

Please encourage President Trump to modify the size of the OMDPNM boundary to only the Organ Mountain footprint. We will still be within those boundaries but keeping it only to the foot print of the Organ Mountains will not create as much economic hardship.

Sincerely,

