

**Testimony for HR 995**  
**Congressman Steve Pearce**

**Public Lands and Environmental Regulation Subcommittee Hearing, May 9, 2013**

Chairman Bishop, Ranking Member Grijalva, and Members of the Subcommittee, thank you for holding this hearing and for inviting me to testify in support of HR 995, the *Organ Mountains National Monument Establishment Act*. The Organ Mountains are a true natural treasure in Southern New Mexico, and one of our state's most pristine, recognizable sites. Everyone believes they must be preserved. The Organ Mountains are a symbol of our unique culture, which includes hunting, recreation, ranching and other outdoor activities. The landscape is emblematic of our heritage in the Land of Enchantment, and this bill protects our culture, our land, and our livelihood.

One of the most important aspects of this legislation is the strong local support for its end goal. It is imperative that any land management declaration have the backing of the local community. Ranchers, conservationists, public officials and business owners have strong agreement with the aims of this bill. The Hispano Chamber of Commerce of Las Cruces and the Anthony Chamber of Commerce support this bill. I have submitted for the record letters of support from several soil and water conservation districts and other local interested parties. Simply put, it is a local solution.

Unfortunately, we see the ramifications of monument declarations by presidential edict and the effect they have not only on the economic base of a community, such as the ongoing dispute over cattle grazing in the Grand Staircase-Escalante Monument in Utah, but a declaration with little public input causes the strain and cynicism between individuals and the federal government to fester.

Plus, the US Constitution grants the power to determine land management plans to the legislative branch under Article IV. This constitutional authority lends more credibility to the legislative process as a mechanism for making monument and other determinations. It serves as a check on the federal government, and keeps it from abusing local authorities. The legislative process is a highly democratic method of making decisions with long-term policy implications.

It is in this spirit that I sponsored HR 995. It protects the Organ Mountains permanently from disposal. The Monument will forever be a part of the National Landscape Conservation System. Mineral exploration will be banned permanently. It also allows for motorized vehicles to stay on existing roads and trails designated for their use, allowing the elderly, families with small children and the disabled to access this pristine area. It also allows for the use of mechanized equipment for standard ranching operations and to make repairs to earthen dams for the sake of our watersheds.

The agricultural community shows strong support for this legislation as well. The bill protects current grazing permittees, and ensures that future grazing permits will be issued. HR 995 injects regulatory stability into an industry that is oftentimes left behind in the Washington game of special interest posturing. Our local ranchers deserve a regulatory framework that protects our environment and their interests at the same time.

Existing water rights are also protected, and federal water rights are not expanded. Private landowners who have property surrounded by the monument will have access to their landholdings. The state government will continue to have jurisdiction over fish and game permitting, so that our sportsmen can continue to enjoy the outdoors.

In short, the bill creates a framework for responsible recreation and expanded access all at once. It protects our resources, while guaranteeing that our sportsmen and other outdoor recreational activists can enjoy this natural area to the greatest extent possible. There are currently 12 national monuments in the state of New Mexico. In 11, there are no weapons or hunting allowed. This right to maintain our culture must be protected in any management plan, which is why I included stronger language permitting hunting and trapping within the monument compared to the version of this bill in the 112<sup>th</sup> Congress.

Another aspect that the federal government must take into account is the need to ensure law enforcement personnel can access federal lands in pursuit of criminals and for other emergency response needs. The close proximity to the Mexican border makes it even more important that we work to keep this area from becoming a drug or human smuggling corridor. We see in the Organ Pipe National Monument on the Arizona-Mexico border that Park Rangers have to carry

weapons, and that tours are often limited to the daytime with armed Park Service personnel guides. Many parts of the Monument are kept off limits from American tourists because of the danger of running into members of a drug cartel or human smugglers. The environmental degradation of these areas caused by gangs leaving trash and human waste behind is disturbing and sad for those of us who want to enjoy our natural heritage. Seeing what has happened in Arizona, and wanting to keep it from happening in New Mexico, the Dona Ana County Sheriff, Todd Garrison, has endorsed HR 995, along with the National Association of Former Border Patrol Officers, who are pleased with the more specific language protecting rights of law enforcement personnel compared to the version in the last Congress.

Once again, I would like to thank the Chairman, Ranking Member and the rest of the Committee members for the invitation today, and your willingness to consider the Organ Mountains National Monument Establishment Act once again.