

**Written Testimony of
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Before the

**Natural Resources Subcommittee on Public Lands and Environmental
Regulation
United States House of Representatives**

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Chairman Rob Bishop, Ranking member Raul M. Grijalva, Members of the Committee: Thank you for giving me the opportunity to present my perspective on "Threats, Intimidation and Bullying by Federal Land Managing Agencies," especially as it pertains to cattle exclosures on federal lands in New Mexico.

My name is Garrett VeneKlasen. I am a native New Mexican and have spent my entire life hunting and fishing throughout the Southwest. Before taking my current position as the Executive Director of the New Mexico Wildlife Federation, I was the Southwest Director for Trout Unlimited, working on coldwater restoration and public land protection projects throughout New Mexico, Arizona and Colorado.

Hunting and fishing combined contribute \$93 billion to the nation's Gross Domestic Product. Like all western states, hunting and fishing in New Mexico is a thriving and rapidly growing yet sustainable industry that enhances and greatly diversifies rural economies west wide.

Eighty nine per cent of NM sportsmen and women utilize public lands to hunt and fish. New Mexico sportsmen alone spend \$579 million, support \$258 million in salaries and wages, contribute \$58 million to state and local taxes and support 7,695 jobs annually (Outdoor Industry Association, Boulder, Colo.)

It is also important to note that in New Mexico, hunting and fishing are more than just "sport." They are the oldest of our core cultural land use values with a 10,000-year tradition.

This vibrant industry and our cultural values and lifestyle are dependent

upon two things: expansive, viable habitat for our fish and wildlife and large, undeveloped tracts of public lands in which our rapidly-growing community can recreate.

The tiny spring and its riparian area in Lincoln National Forest known as Agua Chiquita have gotten a lot of attention lately. A small group of ranchers claims the U.S. Forest Service is trampling their rights. They make it sound like they're the victims, but there's far more to the story.

The Agua Chiquita offers crucial riparian habitat used by elk, turkey and other wildlife for water, food and breeding. The riparian area has been fenced – with gaps for cattle – for more than 20 years to mitigate livestock damage. Such cattle enclosures have been used by virtually all state and federal land management agencies to protect critical habitat for more than 50 years.

The original barbed-wire fence around the Agua Chiquita was cut so often that the Forest Service replaced it with a welded pipe-rail fence, 4 feet high and roughly a mile long on both sides of the stream. It encloses less than two dozen acres of riparian habitat within the 28,000-acre grazing allotment. Cattle have access to the stream through two “water lanes” built into the fence.

But it wasn't the Forest Service that paid for the fence. Hunters and anglers did, using \$104,000 from New Mexico's Habitat Stamp Program and another \$11,000 from New Mexico members of the National Wild Turkey Federation. It was sportsmen in southeast New Mexico that manifested the Agua Chiquita project and made it a top priority because riparian habitat is a precious thing in our arid state.

Some of those who were offended by the Agua Chiquita project said water rights were being ignored or taken away. But the U.S. Forest Service told our organization that when they checked with the New Mexico agency that monitors water rights, the Office of the State Engineer, the database showed that the only recorded water rights in that portion of Lincoln National Forest belonged to the U.S. Forest Service.

There were also complaints that the cattle in that grazing allotment were being denied water. But in fact, there are two places along the Agua Chiquita

project where cattle can reach the stream. The Forest Service has excellent photographs if you would like to see them for yourselves.

But this issue of habitat protection goes far beyond Lincoln National Forest, however. It extends wherever important wildlife habitat is threatened, in New Mexico and other western states.

Stream exclosure projects offer tremendous benefits for game and non-game species alike, both aquatic and terrestrial. Outdoorsmen like me are primarily interested in trout, elk, turkey and other game. But what's good for tiny creatures like the meadow jumping mouse is also great for the trout, waterfowl, upland birds and big game for which New Mexico is known worldwide.

The discussion in New Mexico and now, in this hearing, has focused on fencing projects around critical wildlife habitat. But perhaps the discussion should broaden and acknowledge the impact of outdated livestock grazing practices on our western landscapes and watersheds. Hundreds of years of overgrazing has literally transformed entire western landscapes and greatly compromised the function of our watersheds. This is a fact and it's high time both state and federal policy makers and land management agencies recognize and address this issue head on.

Grazing practices have affected fish and wildlife, but the general public has also felt the impact in many western states. Degraded watersheds - especially upland watersheds - do not properly hold and dependably deliver our precious and limited water reserves. In the end, the biggest losers are municipalities and downstream agricultural interests who can and should be receiving more water if the upstream systems functioned as they should. The economic impacts to these water dependent economies - especially in times of extreme drought as we're seeing in much of the West - should be carefully considered by this committee.

The good news is that our watersheds are restorable, and that sustainable grazing can and should continue alongside proactive habitat restoration. But as a nation we need to start thinking of better ways to protect and restore degraded watersheds and riparian habitat while at the same time allowing our grazing community to thrive. Sportsmen have already shown they are ready to chip in and do our share.

It is ironic that the title of this hearing is "Threats, Intimidation and Bullying BY Federal Land Managing Agencies." I would ask this committee to also consider "Threats, Intimidation and Bullying OF Federal Land Managing Agencies," by certain members of the public lands grazing community as well as by select county policy makers. More than once I have witnessed county commissioners publicly verbally abuse and ridicule land managers in their meetings.

I believe the tension under discussion today boils down to one thing: communication. I suspect that if federal land managers were treated with more respect, the public lands grazing community, county officials and the land managers could start working out their issues on a local, mutually-respectful level.

The Otero County Commission's actions and behavior certainly has not represented the best interest of their sportsmen constituents, but instead follows a flawed ideological agenda of rejecting America's public lands legacy. It is also contrary to the best of human traits - collaboration and cooperation.

Public lands are democracy in action. They are worth fighting for. They are an American birthright that belongs equally to all citizens both born and unborn. Proximity bestows neither privilege nor special entitlements, only a heightened responsibility of localized stewardship.

But as misguided incidents like the Agua Chiquita in New Mexico, the Cliven Bundy standoff in Nevada and the ATV trespass fiasco in Utah's Recapture Canyon show, there is a move afoot to ignore these fundamental public property rights. To some, it may not matter. To public lands sportsmen and women, it does.

The Agua Chiquita incident reflects the feeling by some that federal agencies such as the Forest Service and the BLM have somehow "overstepped" their authority. They haven't. They are abiding by the law laid down through 200-plus years of democratic action. Sportsmen have had to learn to share our public lands and to take responsibility for protecting them. We urge others who use and profit from our federal public lands to do the same.