

## **New Mexico Senators are Taking Your Water**

The Energy and Natural Resources Committee in Washington D.C. held a Sub-Committee hearing on September 16<sup>th</sup> to discuss the M.H. Dutch Salmon Bill S 3670. This bill amends language in the Wild and Scenic Rivers Act to place under its control 450+ miles of the Gila Watershed.

For those of you that have not heard the bill, Both Senators Udall and Hendrich have sponsored legislation that has full potential to force abandonment of all waters used within the Gila watershed. New Mexico's long history and heritage of agriculture through good conservation practices is realistically at risk.

Senator Hendrich introduced S 3670 by stating the Gila and San Francisco Rivers are the last *undammed, un-diverted waters in the South West*. He came to the United States Senate and the American people falsely with that statement. **Truth is;** the Gila watershed has over 17 diversions all supporting extensive irrigation systems, water development programs and mining, some of which have been in existence for 134 years.

Senator Udall introduced the same S 3670 by stating the legislation was posted as a discussion draft and reflects community concerns, stating the language of the bill takes pains to protect traditional uses. He went on to state property condemnation has never been a part of Wild and Scenic Rivers Act. He came to the United States Senate and the American people falsely with those statements. **Truth is:** 72 acres of private property were condemned on the Rio Grande along with 2.7 acres of easement, all in New Mexico. Additionally, New Mexico's stakeholders and traditional users aggressively opposed the legislation. While the language claims protection of traditional uses, section 7 in the Act has the power to remove those protections. (Let us not ignore the fact that language in section 7 could have been amended to solitary protection of traditional uses but both senators choose to leave that loop-hole in place.)

Speaking as a witness in support of the S 3670 was Jamie Crockett a business owner within the Gila Wilderness. Mrs. Crockett stated that great care was taken over almost a decade to include community input from both sides, that she thinks Senator Hendrich cared about traditional uses and did the work necessary in insure everyone involved had been acknowledged and accounted for in the text. **Truth is:** Senator Hendrich only listened to New Mexico stake holders and traditional users *after* drafting the legislation and then simply made the choice to ignore traditional users concerns in favor of those voicing *no-water use* protections in the bill's language. This is proven by ignoring suggested changes to the text submitted by the San Francisco Soil and Water Conservation District that would offer improved agriculture use protections. Additionally, Grant Counties primary mining concern submitted suggested language change to the bill that was equally ignored by Senator Hendrich. Mining concerns are 44% of Grant Counties GDP and potentially at risk under the current legislation language. It should be noted that neither Senator Udall or Heinrich have ever personally approached the stakeholders along the Gila River drainage and its tributaries, they simply sent "representatives" after the bill was written and ready to be introduced. The very people who will be affected the most were not considered enough for them to speak with. And by her own testimony Mrs. Crockett admits they had over 10 years to complete that effort.

Mrs. Crockett went on to state the vast majority of the community is in support of implementing S 3670 and Wild and Scenic Rivers Act and 150 local business have signed onto its implementation. **Truth is:** For almost a decade Mrs. Crockett and New Mexico Wild have shared only the positive aspects of W&SRA

while hiding the risks to our mining and agriculture economy associated with the Act. After 5 short months Heritage Waters Coalition has exposed those risks to our local community who now overwhelmingly oppose S 3670 and the Act. Heritage Waters Coalition has grown in that short 5 months to 3500 members who are opposed to W&SRA. We also have 25 businesses, 5 associations, 40 Soil and Water conservation districts, county commissions and sheriffs who after hearing all the facts are opposed to S3670.

Mrs. Crockett claimed in her testimony that S 3670 will likely increase tourism to the Gila Watershed. **Truth is:** Increase to tourism once Wild and Scenic Rivers Act is implemented cannot be documented in any way. Utah State University has backed up that assertion with research.

Mrs. Crockett, New Mexico Wild and both Senators use terms as likely, might, could and maybe when stating W&SRA should increase tourism. While completely ignoring the very real risk to our mining and agriculture industries. That risk is made plain, stated in black and white print, in Section 7 of the Act. Where Federal law over-lays local and state government law. Giving control of all federal support, spending and conservation efforts to a secretary in charge who will be a custodian not only to designated river segments but those private property owners above and below any designated rivers. Those private property owners who use our local waters to drive our agriculture economy. Those mines who use our waters, who support our business and economy with jobs. The custodian will have a mandate to minimize use of the water to the maximum extent.

Let us not forget Wild and Scenic Rivers Act was established in 1968 to stop dam development on our mighty rivers within the United States. It has since shifted into protection of rivers in lightly populated, wilderness and recreational areas. Those rivers designated are, by-far, located in the pacific northwest where conditions are right for the meaning of the act. Our United States Southwest have very few Wild and Scenic Rivers designated. There is a reason for that reality. We use our waters in the Southwest! Our river watersheds are heavily populated, heavily diverted for conservation use and a primary part of our economies. The meaning of Wild and Scenic is to preserve free flowing rivers which explains the lack of designations in the South Western United States.

S3670 MH Dutch Salmon Greater Gila Wild & Scenic River legislation is bad for the rural citizens of southwest New Mexico because it gives control of our water to a bureaucratic secretary in Washington, because it does not provide any protection for the water users, stakeholders and communities in the Gila River drainage. But mostly because there can be no consensus when the only people who will be personally affected have been shut out of the process and their input for protective language ignored. This is disrespectful and oppressive governance and can only lead to future problems and the loss of our precious water.

We at Heritage Waters Coalition ask you to balance the scales of information shared with this knowledge and consider those clear written risks to our economy with the maybes, should-be, might's and hopeful promises that increased tourism is worth compared to losing our homes, jobs and heritage.