

Best of Both Worlds

Creative thinking can lead to better land-use solutions.

Words by Henry Lamb. Photos by Jodi Denning.

When first light breaks over the Organ Mountains and brings a new day to Sara Hopkins' ranch, more often than not she is already making sure the horses are fed and the before-breakfast chores are done. Her ranch stretches from the high Organs, down to the valley, and on toward Las Cruces, N.M. It's a big ranch, but only a fraction of the land her grandfather tended. Originally, the ranch reached from near Las Cruces, across the Organs, almost to Alamogordo. The government took a chunk of it for what became the White Sands Missile Range.

The government is still taking New Mexico land. "They just fenced off nearly four sections," Sara says. "They called it a recreation area. Now my cows can't get back to Dripping Springs. Nobody can, unless they walk."

"They" are the Bureau of Land Management (BLM). It manages much of the wilderness areas and the wilderness study areas, and the other federal land on which New Mexico ranchers hold grazing allotments. Sara is no fan of the BLM's management practices. "They could have at least told me they were going to fence me out," she says.

Sara was not all that surprised when she learned that the New Mexico Wilderness Alliance (NMWA) was promoting another proposal to designate even more wilderness in southern New Mexico. But she was not happy about it. Neither was Tom Cooper, or Tom Mobley, or Dudley Williams, or many of the other ranchers in Dona Ana County.

In late 2005, a local newspaper carried an article that said Sen. Pete Domenici planned

to introduce legislation that would convert a couple of wilderness study areas to actual wilderness areas. By late spring of 2006, the NMWA had a full-blown proposal before the Las Cruces City Council, seeking endorsement of a plan it said was supported by the entire community—including the ranchers. The proposal called for designating 108,000 acres of the Organ Mountains as a "national conservation area," and another 308,307 acres as "wilderness."

The city, the county commission, and every incorporated town in the county, endorsed the proposal, based only on the information provided by wilderness advocates. Two big problems arose: the ranchers were never consulted, and the NMWA proposal was substantially different from what Domenici originally intended.

Domenici agreed for the city of Las Cruces to form a 16-member stakeholders' committee to try to find consensus on the wilderness proposal. Tom Cooper and Tom Mobley represented ranching. Consensus was not reached. After learning that ranchers had no input to the original proposal, municipali-



ties began to rescind their endorsements. And the ranchers went to work.

How much wilderness is enough?

The wilderness designation is the result of the 1964 Wilderness Act, which set aside nine million acres and defined what a wilderness is. The wilderness inventory has now grown to 702 designated areas covering 107.4 million acres. Currently, there are nearly 40 bills in Congress seeking to expand the wilderness inventory even more.

Dr. Reed Noss, who wrote the plan for Dave Foreman's "Wildlands Project," says that "at least half" the land should be set aside as wilderness. EarthFirst! founder Dave Foreman is also a founder of the NMWA and his wife remains on the board of directors.

New Mexico already has 1.6 million acres designated officially as wilderness. This designation brings severe land-use restrictions. The law says that there shall be no permanent road; no temporary road; no use of motor vehicles, motorized equipment or motorboats; no landing of aircraft; no other forms of mechanical transport; no commercial enterprise; and no structure or installation.

The new 308,307-acre wilderness area proposed for Dona Ana County would encompass several ranches which are commercial enterprises that depend upon roads, motorized vehicles, the installation of miles of pipelines for water, and structures such as corrals and fences. No wonder these ranchers were not consulted by the NMWA, or even informed that a new wilderness proposal was in the works.

What's a rancher to do?

Tom Cooper, Tom Mobley, Sara Hopkins, and several other ranchers met on Sept. 26, 2006, to discuss possible courses of action. After considerable venting, Tom Mobley said, "We can't win this thing by just opposing wilderness. We have to come up with a positive alternative." He may not have known, then, just how brilliant his observation was. The group agreed and took the next step.

The next step was going to the home of Frank DuBois. Frank is no lightweight. He once served as an aide to Domenici. He was a high-level official in the Department of Interior, and he came home to New Mexico to serve as secretary of the Department of Agriculture until he was crippled by multiple sclerosis. Frank is a pro, experienced in the ways of Washington and politics.

"We tried to hire him," Tom Mobley

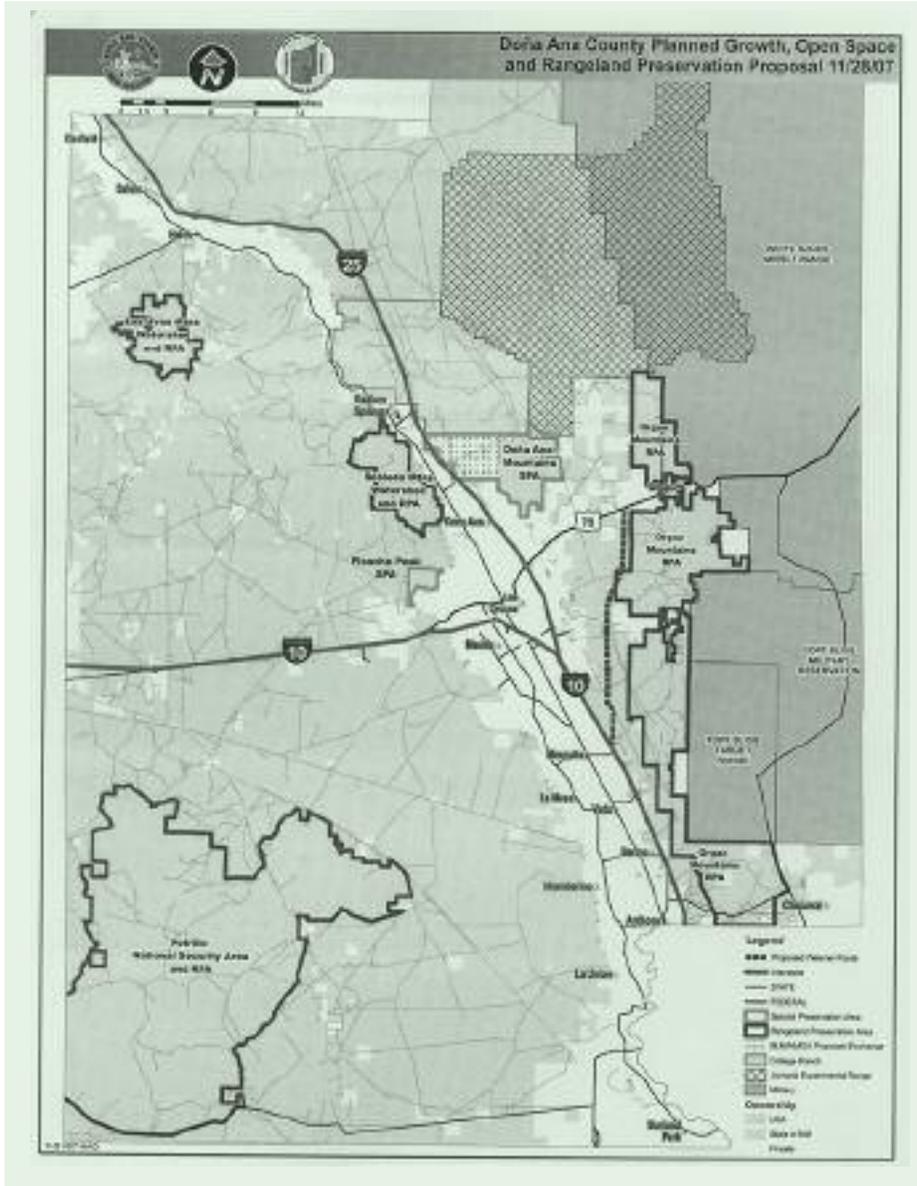


Sara Hopkins would appreciate fair treatment. "They [BLM] just fenced off nearly four sections," she says. "They called it a recreation area. Now my cows can't get back to Dripping Springs. Nobody can, unless they walk." BELOW: The Organ Mountain area on Dale and Sara Hopkins' ranch. OPPOSITE: Cows and calves are moved to new pastures.



recalls. "He agreed to help us, but he wouldn't take a salary. He said if we had money to spend, to give it to the Frank A. DuBois Rodeo Scholarship Fund at New Mexico State University."

All his life, Frank has been an avid rodeo enthusiast and performer. His MS forced him to end his rodeo career in 1998, but his love for the sport prompted him to start the scholarship fund, which now ensures an opportu-



The heavily outlined RPAs and SPAs are to be limited-use areas—some areas very limited and others can be mixed use, even grazing. These are waiting on Congress. If enacted, BLM won't need to unilaterally fence off tracts of land as pure wilderness areas, benefitting no one.

nity for rodeo athletes to attend NMSU.

With Frank on board, and a sense of optimism growing among the ranchers, Tom Mobley took a copy of Domenici's original draft legislation and began to dissect it line by line, taking out all the things that targeted ranchers and other resource users.

What's next is an example that may become a blueprint for other communities. Frank advised the group to organize and begin learning and doing. They started from the fundamental principle that winning would require a better alternative, rather than simply opposing the NMWA proposal. After some discussion, they decided that the name of their organization would be: People for Preserving our Western Heritage (PPWH).

Tom Mobley and Tom Cooper were chosen as cochairmen. Sara Hopkins brought her neighbor, Jodi Denning, to an early meeting. Jodi happened to be a computer wizard and volunteered to create a Web site for the group: <http://peopleforwesternheritage.com>. She has compiled a detailed history of this effort.

Another principle the group agreed to was the need to protect areas of genuine environmental value, while protecting the rights of people to responsibly use the available resources. This, of course, is where the rubber meets the road in any consideration of environmental protection. Frank suggested the idea of "withdrawing" certain specified activities from use, while permitting other responsible uses.

Rangeland Preservation Area

From the regular meetings of the PPWH, sometimes "testy" but always constructive, a new idea began to emerge: a new concept, a new acronym to add to the government's collection of alphabet soup—the RPA, Rangeland Preservation Area.

The group recognized that the community did, indeed, want to protect some of the area's most beautiful places, but not at the cost of official wilderness designation. There had to be some middle ground. Some of the area included in the NMWA proposal had already been studied as an official wilderness study area and rejected because it did not meet legal wilderness criteria. Nevertheless, the NMWA proposal sought to designate the area, despite the previous rejection.

The RPA concept includes Frank's idea of withdrawing certain lands from some specific uses, but not from other uses. For example, wilderness designation would prohibit virtually all uses, except walking. The same area designated as an RPA could specify activities that are allowed and those that are prohibited. An area defined as an RPA might allow ranching, or motorized recreational vehicle use on specified trails, while prohibiting mining or drilling.

Jerry Schickedanz, dean emeritus of the College of Agriculture and Home Economics at New Mexico State University, says that "a Rangeland Preservation Area can be created that maintains the character and history the area represents, and man is an important part of the history. At the same time, the lands can be permanently protected."

The key ingredient to the RPA as a land management tool is the recognition that the local people, those people who are most affected by the land-use plan, must participate in the construction of the plan and agree to it. This is the essential ingredient missing from the NMWA proposal and from most of the wilderness proposals that are introduced in Congress. No government agency or environmental organization can simply draw lines on a map or choose "viewsheds" for preservation without infringing on the rights of the people who must comply with the regulations imposed upon them.

The PPWH did its homework. It discovered and defined the negatives in the NMWA proposal, and then developed its own positive, alternative legislative proposal, employing the RPA concept. Presentations were made to the city of Las Cruces and to the Dona Ana County Commission and to the

other municipalities in the county. Local governments began to reconsider their previous endorsement of the NMWA proposal and to take a serious look at the alternative proposal advanced by the PPWH.

Endorsements of the PPWH proposal came from the New Mexico Farm Bureau, from two past presidents of New Mexico State University, from law enforcement agencies, from professional organizations, and from more than 600 other area businesses and organizations.

The next bold step is Congress. It will have the opportunity to protect the environmental integrity as well as the rights and interests of the people of Dona Ana County. Enactment of this proposal will also establish a precedent that could end the bitter battles that have wasted so much time and resources in communities across the West, where wilderness advocates have ignored the needs of the people affected to achieve their vision of what the West should be.

Enactment of this legislation will help



Sara Hopkins was not surprised when she learned that the New Mexico Wilderness Alliance was promoting another proposal to designate even more wilderness in southern New Mexico. Cows have been grazing this fine and healthy country for generations.

Sara Hopkins sleep better at night, knowing that the BLM will no longer be able to fence off another four sections of her allotment whenever it wishes. Cooper, Mobley, and the other ranchers whose livelihood is threatened every time a wilderness advocacy group

meets, can get back to running their ranches and taking care of the magnificent landscapes entrusted to them. ■

Henry Lamb is founder of the Environmental Conservation Organization and chairman of Sovereignty International.

Notes from a Stakeholder

City Workgroup Meeting, Nov. 30, 2006.

By Tom Mobley, Rancher Stakeholder Group

The organizers of these proceedings have aptly categorized us as “stakeholders” for we are truly engaged in a game of chance. But every stakeholder here, except the ranchers, acquired their stake at little or no cost. Your stake, your investment, is your passion, perhaps the most formidable force on earth. The rewards from your stake will be idyllic, a sense of nobility, a sense that you have saved the wonders of nature from destruction. These are rewards that fall into the highest level of Maslow’s hierarchy of needs. That is something to be respected and not ridiculed. And yet your losses, if any, in this game of chance will be nil.

Ranchers, on the other hand, have a stake that was acquired at great financial cost and years of work. The rewards from our stake cross the entire spectrum of the hierarchy of needs. From the stake we have in our ranches we derive the basest to the highest of needs—food and water, security, our family and friends, our sense of achievement, and our belief that we will leave our lands better for our having been here. We stand to lose all of

this if you and we fail in the task before us.

During the course of these proceedings, you will be told that the proposals for wilderness and national conservation areas will not adversely affect ranchers. You will find comfort in that notion because you are good people and you don’t want to do harm to an industry and a way of life that is a part of the heritage of Dona Ana County.

You will be told that there will be no curtailment of grazing rights due to wilderness designation. We will show that in spite of provisions in the law, livestock numbers on wilderness allotments have been reduced by greater percentages than nonwilderness allotments under similar conditions.

You will be told that ranchers will be able to maintain existing range improvements and perform most ranch operations using motorized equipment. We will show that on existing wilderness allotments, ranchers have, for the most part, been relegated to practices characteristic of the 19th century.

You will be told that national conservation areas are less restrictive on ranching than

wilderness designation. We will show that in some instances national conservation areas are more restrictive.

You will be told that only wilderness and NCA [National Conservation Area] designation can preserve and protect our federal lands. We will show that the preservation of the open character of federal lands and the retention of its natural features are in no small part due to the existence of actively managed cattle ranches, and that there are alternatives to wilderness and NCAs for providing needed protection.

You will be told the public’s ability to use and enjoy the federal lands can be preserved only through wilderness and NCA designation. We will show that those rights will be diminished in many instances by wilderness and NCA designation.

You will be told that ranchers do not have property rights with respect to federal lands. We will show the basis of our property rights and will object to efforts to diminish those rights.

It is our intention to approach these proceedings with open minds and a desire to understand the ideals and the objectives of each stakeholder. To the best of our ability we will attempt to reach decisions that will mutually benefit the rights of all stakeholders that do not infringe on other rights. We ask that each of you do the same. ■