

Solitude  
**Reserved by the United States**

ACE

By Stephen L. Wilmeth

We have been working in our Coldiron Pasture.

It is our southern pasture and its southernmost extension runs along I10 for a number of miles. The highway traffic is always heavy with DOT data showing something over 15,000 vehicles per day. When the wind is right, you can hear the traffic 12 miles north. When you are off the pavement, though, there is still a sense of solitude in the absence of people with their cars and chatter.

Yesterday, I needed a shot of that solitude.

Solitude has always been important to me. It is one of the compelling drivers of wanting to do what I do. As a kid, I remember moments of building euphoria sitting quietly somewhere staring at a big vista or absorbing the nuances of the smells and charm of an old set of corrals. Those were times when solitude contributed to the dreams and hopes of a brighter future.

Today, moments of solitude are spent just hoping there is a future.

As one of nearly 40 ranches now impacted by the Organ Mountains Desert Peaks National Monument, we operate in a world of uncertainty. One thing we know is that the proclamation, designating the monument against any and all objections we had, shall be deemed to revoke any existing withdrawal, reservation, or appropriation and that the national monument unto itself shall arise to be the dominant reservation. All of us, the more than 75 families that rely on these lands to make our living, have been relegated not to the purpose but to the “uses” of the land.

There are no assurances and that is made more tenuous in a letter by the monument manager indicating our livestock presence would be judged on the basis of biological objects, and, if grazing shall be found incompatible with the protection of those objects, the “Secretary shall retire the grazing allotments pursuant to the processes of applicable law”.

Those words don’t appear in the proclamation of our monument, but they were signed under signature and communication of the designated BLM manager. They are in the hands of every land stewards whose lives depend on these lands.

Indeed, I needed a shot of that solitude yesterday.

**Heinrich, Flake, and ACE**

The argument for the monument was the economic stimulus it would provide to the county and the area. Two years into the designation there is no discernable increase in traffic. We have noticed the installation of signs, but that, too, is a matter of concern. The sign on our ranch is framed against the backdrop of the north side of Massacre Peak, the flat-topped massive north of I10 at the 116 interchange. The problem with the framing isn’t the view of the mountain as much as it is the parcel of our private land landlocked within the monument.

As to the mountain, it is not just a physically imposing feature. It is the site of significant historical features including the installation of a signal mirror that General

Crooke employed in field communications during the hunt for Geronimo. The peak also overlooks a stretch of the Butterfield Trail and the site of a massacre that occurred before 1880 when a caravan of Mexican traders with their carts pulled by oxen was attacked by Apaches who had escaped from Ft. Sumner and were raiding down the Rio Grande on their way back to Apacheria.

Something is terribly wrong, however, with this monument moment. The lands featured are not just federal lands. They are either private as noted in the former or state trust land as noted in the latter.

The fact is New Mexico state trust lands and our private in holdings is more important than ever. It is only there that we can count on future enhancements that make our ranches more viable in a changing economic landscape. It is there our water improvements must be concentrated.

By Federal law and regulation, it is also there that money can be co-opted into investment infrastructure that benefits wildlife and livestock alike. Too few citizens understand that the rancher and his private land holdings are critical in the flow of money into projects whose genesis came out of the Dust Bowl era. The two critical features for such projects are the private land steward and his private land holdings. They must be in the loop for such projects to be considered and approved.

In New Mexico, state trust lands have formed a strong partnership with private lands for such infrastructure investments. Monument ranchers have long realized that their future rests heavily to exclusively on those trust lands that were set forth in the state's enabling legislation. In every township, sections 2, 16, 32, and 36 were reserved for funding the state's educational fund. This distribution of land provides for strategic infrastructure construction that may not be available on private lands because of the minority standing of land ownership footprint across this area. Government dominates our landscape and private lands are normally not dispersed enough for critical water distribution.

The announcement that New Mexico Senator Martin Heinrich, champion of all national monument expansion, and Arizona's Jeff Flake were working together to introduce legislation, ACE, that would accelerate trades or the purchase of state trust lands within national monument footprints is becoming horrifying to every rancher who faces the monument avalanche. When I read the overview from Mrs. Thomas on my smart phone, I had to exit the confines of my pickup. That is the reason I shut down in the middle of the pasture and sought solitude upon the grass and the soil that has come to dominate my existence.

Like every rancher neighbor, I toil incrementally everyday seeking opportunities that make our operation more efficient. Over the past several weeks, the target has been water in that Coldiron Pasture. With our whole herd movement, trough space has emerged to be a critical limiting factor and we are working to reduce that constraint. It is not from some RFP that is let to do this work. It is us. Very simply our future relies solely on state and private lands where we can actually affect improvements and cling to staying power.

Most importantly, we are the stewards of significant historical operations that date to the middle of the 19<sup>th</sup> Century. Surely, someone should recognize that on the basis of water alone!

Heinrich and Flake are touting their legislation for its economic boon to state educational funding. We were told, the public was told, that the establishment of this monument would not negatively impact lands within the new designation(s). Their proposal now clearly discloses the truth that all along there were insurmountable challenges that both public and private land managers face in monument designations, but the state side of the ledger is about to get relief.

Moreover, the state is about to get a mechanism placed in their hands that will make them advocates for more monuments rather than antagonists. The rationale is simple. If the state can trade lands into growth corridors of communities like Las Cruces where they can transact land sales, or, more importantly, gain commercial leases predicated on urban expansion rather than livestock leases of uncertain future, they will back future federal actions every time.

Feature six in the senators' ACE announcement indicates "Grazing rights are grandfathered and appurtenant water rights may be conveyed with the lands", but that conveyance will not be into private hands. Rather, that conveyance will be to the every more powerful federal landlord. He will further protect traditional cultural properties on public lands which will require "Tribal consultation", but any private land protections are silent because there is no prevailing legislative protection.

The state trust lands have been our protection.

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In my search for solitude after exiting my pickup, turf inspection was the order, but there was more. I hearkened back to the clause in the proclamation, both the actual order by this president for his monument that governs our existence and the proclamation either erroneously or purposely sent by the monument manager from which she will be operating in the short run. It reads, "Lands and interests in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States".

It is clear the State will be taken care of, but what about us, the private citizens, whose private lands are reserved for future federal acquisition and control. Where is this Union that elevates all government over the rights and privileges of private citizenry?

I must say I have no answer. The only thing that makes any sense to me is the turf on which I live ... to improve.

Stephen L. Wilmeth is a rancher from southern New Mexico. "Jeff Flake comes from a ranching family. Doesn't he understand the negative implications of removing the state buffer from our existence?"