

**Testimony before the Subcommittee on National Parks, Forests and Public Lands of the
Committee on Natural Resources by Tyrus G. Fain, President of the Rio Grande Institute,
concerning the Wild and Scenic Rivers Act (H.R. 6177) on July 10, 2008**

Thank you for inviting me to come before this committee on behalf of the Wild and Scenic Rio Grande. I am Tyrus Fain, President of the Rio Grande Institute, a non-profit organization based in the little town of Marathon in Brewster County, Texas. My institute is committed to fostering an informed stewardship of our unique river and advancing the well-being of people who live and work in the borderland it runs through.

Among America's rivers, the Rio Grande is like no other - not because it is so grand (which it is), but because for a thousand miles it is an international boundary. Like any natural resource, the river may be indifferent to international boundaries, but people and the institutions of government cannot be indifferent. The cruel reality of the Rio Grande is that for the one hundred fifty-plus years the river has been a border, its role as an international boundary has obscured its significance as one of North America's great rivers. The river is not wholly Mexican and not wholly American; accordingly, the commitments needed to preserve its health as a river have often been lost in a jurisdictional no-man's land. That ambiguity has fostered neglect and that neglect has produced a tortured river, its flow depleted, its quality degraded and its riparian areas choked with invasive cane and tamarisk.

The Wild and Scenic Rivers Act cannot reverse the damage done to this river, but for a significant stretch – soon, hopefully, for almost one-quarter of our 1000 mile border with Mexico -- it can provide resource protection, facilitate some exemplary restoration work, and provide visitors a glimpse of what that once-great river was. Furthermore, this is a part of the US–Mexico border where a lack of violence and lawlessness and a storehouse of goodwill provide opportunities for joint undertakings that can reinforce traditional bonds and enhance the security of both nations.

I am here today in part because my Rio Grande Institute is already working with Big Bend National Park and US and Mexican authorities on river restoration projects along the Wild and Scenic Rio Grande. We are working similarly with managers of the Big Bend Ranch State Park immediately upstream from the national park. With the recent purchase of the La Linda bridge -- the only bridge that spans the Wild and Scenic Rio Grande -- we hope to soon provide infrastructure for more cross-border enterprises that will enhance the security and well-being of residents on both sides of the river.

The extension of the Wild and Scenic designation upstream to the western boundary of the Park will strengthen Big Bend National Park's commitment to conserving resources and enhancing the experience of visitors. Some of the most frequently visited areas of the national park, including the iconic Santa Elena Canyon, will be covered by the proposed designation. Along those stretches of the river, there are delicate riparian ecosystems co-existing with magnificent scenery enjoyed by tens of thousands of people who come from all over the world to enjoy time on the river or hike along the canyons. Last year over 360,000 visitors came to the park, most of them attracted by the magic of the Rio Grande and its ties to the frontier heritage of two nations. The designation contained in H.R. 6177 will provide the tools of stewardship that the national park managers need to keep the conservation and recreation commitments in balance as the number of visitors to the park increases.

The process by which this proposal came before you was well-informed by scientific research, resource planning, public input and decades of national park experience on America's rivers. It is reflected in the management plan and environmental impact statement issued for the Rio Grande by the National Park Service in 2004. An element of diplomacy became involved as the Mexican State of Chihuahua withdrew its earlier objection to extension of the Wild and Scenic coverage along the US stretch flowing alongside that state's territory.

It is also noteworthy that the designation proposed in H.R. 6177 changes the balance of ownership between public lands and private holdings in such a way that the National Park Service forfeits any authority for condemnation. That is providing a greater degree of comfort among West Texans and organizations who work on behalf of property rights protections. I can say from personal observation as a

resident that the comfort level over this designation among residents of the Big Bend region is high. It is an action whose time has come.

Congressman Rodriguez's bill has significance as a step toward more opportunities for enhancing the stewardship and recreation value of the Rio Grande. One involves collaborating with the State of Texas on a jointly administered program still further upstream where the river runs for some twenty five miles alongside the Big Bend Ranch State Park. Last year I was appointed by the chairman of the Texas Parks and Wildlife Commission to a special Advisory Committee charged with making recommendations on the future of that magnificent place which is virtually adjacent to the better known national park. One of our recommendations is for the state and federal agencies to come together in a cooperative conservation effort on behalf of that stretch of the Rio Grande - Colorado Canyon and other areas of extraordinary beauty and recreational value. I would respectfully suggest that the National Park Service and the Congress respond favorably to a request from the State of Texas to further extend this designation.

Another challenge facing us involves the other -- "non-US" -- half of this unique river. Mexico, like the US, asserts its sovereignty at the border but its resource managers have become as aware, as we have, that there is no way to care for just half a river. A well-defined, well-informed stewardship that allows each country to control its border while working together to preserve and protect an endangered natural resource simply makes good sense.

President Calderon and his advisors in the Comision Nacional de Areas Protegidas recognize the situation and have taken an important step that will set the stage for unprecedented cooperation along this one stretch of the river that is still not a battleground in the war on drugs or a killing field for criminal cartels. The Monumento del Rio Grande del Norte is in many respects an equivalent of a Wild and Scenic Rio Grande. The text of the proposed Presidential action that appeared in the Diario Oficial (similar to Federal Register) is remarkably similar to what is included in our Wild and Scenic River designation for the Rio Grande.

Thanks to an agreement reached through an exchange of letters in 2000 between Secretary of the Interior Babbitt and his Mexican counterpart, Secretary Carabias, there exists a framework for cooperation between the Monumento and the Wild and Scenic Rio Grande. Once the President of Mexico makes his decree official, presumably later this year, the stage will be set to begin work on a series of binational projects to address issues that can only be dealt with in a cooperative cross-border effort. Invasive plants such as tamarisk, control of feral animals, wildlife breeding corridors, fire control, maintenance of minimum levels of stream flow – to name a few.

I hope Congress will pass H.R. 6177, continue to support the Wild and Scenic Rivers Program and fully embrace the obvious truth that no one can care for just half a river.

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