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U.S HOUSE OF REPRESENTATIVES  
HOUSE NATIONAL PARKS  
FOREST AND PUBLIC LANDS SUB COMMITTEE

RE: Tumacacori Highlands Wilderness Area – HR 3287

Dear Honorable Congressmen and women,

I am writing today to express my concerns with HR 3287, the Tumacacori Highlands Wilderness Area. It does not make sense to change the definition Wilderness Area from a "roadless area" to parallel strips of Wilderness between existing roads. The very reason for the change is because the amount of land for wilderness designation in Arizona has been achieved. This area does not fit the definition so the plan is to twick the definition to grab control of the land.

Neither is it fair or right for the Forest Service to in effect prohibit hunting in an area long popular for Arizona hunters and specified as hunting units and administered by the Arizona Game and Fish Department. The United States Forest Service nor Congress has no right or authority to manage or control the huntable wildlife in Arizona. (Arizona State Statue Title 17.)

The Federal Government should not be allowed to prohibit the use of existing roads by off-highway vehicle enthusiasts who are obeying state laws and have driven over these roads for 60 years.

In addition, prohibiting ranchers from use of motorized vehicles to repair fences and check waterings is not fair and appears to constitute a regulatory taking of the ranchers' livelihood. Retroactively forcing ranchers to use nineteenth century tools is completely unreasonable. This also violates several court decisions: Cite as authority Colorado v. Toll, 268 US 228 (1925). Also, cite Curtin v. Benson, 222 US 78 (1911).

The area of the Tumacacori Highlands Wilderness is rough country and often very hot. A vehicle with water is often the life support system for the driver and other occupants. Excluding motorized vehicles unnecessarily places many citizens at risk

The Border Patrol should not be excluded nor should the National Security of the United States be sacrificed in order to create a Wilderness Area that is not even "roadless" as required by law.

The flood of illegal immigration through the proposed Wilderness Area has almost produced a state of war over drugs and immigration. The Forest Service has advised hiking clubs that the Proposed Wilderness Area is too dangerous to hike in. In Green Valley and vicinity there have been almost continuous home break-ins, high speed chases, fatal and non-fatal shootings, and

other atrocities. The proposed Wilderness Area would make these problems worse.

The most pristine parts of the Proposed Wilderness Area have already been trashed by illegal immigrants who leave ribbons of garbage along their well defined trails. The Forest Service has already lost control of illegal immigration damage from Mexico, but it will worsen if the Wilderness bill is passed. This will not allow clean up crews in the area. The people will need motorized vehicles to remove the trash from the area and this will deny them that tool. Therefore it will just destroy the very "priceless" environment and water shed you are trying to protect.

It is not right that illegal immigrants and drug smugglers should take precedence over honest, hard working Americans whose recreation and livelihood is damaged. It is the job of the federal government to protect the defined United States borders from invasion.

Nor should the Federal Government usurp the rights of the State of Arizona in regulating hunting and recreation. I was at the Arizona Game and Fish meeting about 3 years ago when they were considered including the Tumacacori as wilderness. The testimony by radical environmental groups was well orchestrated and pre-arranged. Groups such as the Wildlands Project, Nature Conservancy, Defenders of Wildlife, Sky Island Alliance, Animal Damage Control and others was obviously staged to force the state's wildlife management agency to agree to their proposal.

A map of the proposed wilderness was presented at this meeting by the Arizona Game and Fish Department. I was able to obtain a copy of the map and will send you a copy if you desire. The map is called the Sky Island Wildlands Network and shows not only the proposed Tumacacori Wilderness Area but a large portion of Southeast Arizona and most of Southwest New Mexico, including the Bootheel and the Gila areas of New Mexico, in "core areas".

The color coded map depicts areas that are existing wilderness areas, "proposed wilderness" areas, wildlife refuges, National Conservation Areas, as well as "wildlife movement linkages". It's interesting to note very little "private land" is proposed to remain within this very large area. Areas that are currently private lands are proposed to be "study areas". We have seen many attempts on the state level with different voter initiatives to try to implement this plan, they have failed.

We have a ranch, 35 miles from Douglas. Our family homesteaded this area 100 years ago. Help us keep it!!! We have experienced \$6.2 million dollars of damages to our ranch and water line because of the illegal foot traffic. These areas along the border have long been targeted because of the high amount of private property within the boundaries. We do not endorse or accept the basic plan of this Wilderness Designation, known as the Wildlands Project. No doubt once the Tumacacori Wilderness is established these same groups will begin to pressure Congress to include other areas included in their scheme until their goals, as the map reflects, have been accomplished.

It is sad that when the Arizona Game and Fish Department refused to include the Tumacacori as "wilderness", the Wildland Project proponents decided to start lobbying the U.S. Congress. They have no respect for state rights.

The creation of the new Wilderness will lock people out of an area that is not pristine and will ultimately cause financial harm to the local businesses and communities. In Arizona, have exceeded the amount of Wilderness acreage and are now the 2nd state in the union with over 4 million acres in wilderness. New Mexico is 8th in the nation with over 1 million acres designated

as Wilderness. We have enough Wilderness and cannot even support the amount we have with taxes. This place the burden of the loss revenue on the backs of low income, fixed income and the hard working middle class. It also will stress the budgets of counties, local forest service districts and school budgets by decreasing the income generated from grazing fees. What we support is to invest in the ranchers who have for generations kept the land open, free from development and protected the wildlife by providing water and shelter year round at their expense.

The other bill you should consider is not part of the official hearing list but you really cannot consider HR 3287, the new Tumacacori Highlands Wilderness Bill, without considering HR 2593 "The Borderlands Conservation and Security Act of 2007." HR 2593 would greatly handicap law enforcement and the Border Patrol in the proposed Wilderness Area and all Federal lands along the border. HR 2593 is full of misleading words to throw the reader off as to its true intent.

HR 3287, combined with the proposed HR 2593, could be used to create a virtual freeway for illegal aliens and drug smugglers as a fast track into the United States in an area where a major illegal immigration traffic area and drug smuggling pathway already exists. In fact, "Article VI states: Section 4. The United States shall guarantee to every state in this union a republican form of government, and *shall protect each of them against invasion*; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence." We are in fear for our lives and safety and health of ourselves and that of our families and friends. Please defend the law and our rights. We live it we have been refused legal protection for our property and lives when dealing with the border issues and the illegals. We are the victims!

The US Constitution clearly requires the federal government to protect states. Passing the buck, making it a WILDERNESS AREA, a forest, or private land Congress and the President are supposed to be protecting our borders from invasion not encouraging it. It is also with in your power to stop the defacto divesture of private property by allowing such designations to blanket areas and businesses that depend on using these federal lands as part of their livelihood. It is also your duty to protect the lives of the people and their safety and that of their families. We are in fear for our lives and safety and health of ourselves and that of our families and friends. Please defend the law!

Please include my letter in the official record of the November 13th hearing on HR 3287. I also ask you consider my concerns with HR 2593. Please consider a photocopy of this document as valid as the original.

Sincerely  
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cc:House National Prks, Forest and Public Lands Subcommittee  
Arizona Cattlegrowers, CGCA