

Committee on Resources

Witness Statement

**TESTIMONY OF
ROBERT B. GIBSON
COUNTY COUNCILOR,
INCORPORATED COUNTY OF LOS ALAMOS, NEW MEXICO,
ON THE SUBJECT OF H.R. 3288 AND FEDERAL ACQUISITION AND
MANAGEMENT OF THE VALLES CALDERA
TO THE HEARING OF THE
RESOURCES COMMITTEE
OF THE
UNITED STATES HOUSE OF REPRESENTATIVES
MAY 11, 2000**

INTRODUCTION

Mr. Chairman and Members of the Committee, as a member of the County Council of the Incorporated County of Los Alamos, I am pleased to represent the Council and the 18,000 citizens of the city/county of Los Alamos before this hearing of the Resources Committee. Los Alamos County is located immediately east of the Valles Caldera on the eastern slopes of the Jemez mountains. We share a common border with the Baca Ranch property and sit astride one of two existing highway portals to it.

My key points today are:

- Reflecting overwhelming support of the citizens of Los Alamos, the Los Alamos County Council unanimously supports Federal acquisition of the Baca Ranch property.
- The Council supports H. R. 3288 and the approach to Federal management of the Valles Caldera National Preserve and Trust that would be established thereby.

The County Council would like to thank Representatives Wilson and Udall for sponsoring HR 3288, and likewise Senators Domenici and Bingaman for sponsoring S. 1892. The Valles is a large area of unique natural resources which we in Los Alamos County are pleased to have in our back yard. The land area of the Baca property is larger than the land area of Los Alamos County. It is with some reluctance that we support sharing this heretofore largely unknown natural treasure with the rest of the world. But even County residents have had limited access to explore the vast assets of the Baca Ranch, and we will be among its first and most regular visitors.

FEDERAL ACQUISITION AND ESTABLISHMENT OF PRESERVE

One of the great privileges of my life has been to visit all fifty of the United States. I have been able to

visit, ride in, hike through, fly over, and photograph many of the scenic wonders of this land. The Valles Caldera is one of the scenic jewels of America the Beautiful. These sentiments are widely shared by my constituents. The Baca Ranch is a special place deserving of public ownership and protection for the benefit of all Americans for generations.

We are truly fortunate that the owners of the Baca Ranch, both past and present, have been such fine stewards of this land and the wildlife and vegetation upon it.

The greatest fear of many of those living near the Baca is that a subsequent private owner might well have different priorities. Without the same sense of stewardship by the owners, this natural jewel could one day be covered with houses, trailer parks, and strip malls.

We believe the goals of the proposed Preserve are appropriate. The emphasis appears to be on preservation of and public access to this unique resource. One of the most immediate benefits will be the opportunity for more coordinated management of watersheds, wildlife, and forest fuelwoods with the surrounding jurisdictions. Water, elk, and fire do not recognize property boundaries. However, achieving the self-sufficiency goal will be a worthy challenge.

THE TRUST

There are several aspects of Title I of the Bill which, we believe, show the degree of thought involved in its drafting, as well as showing the extent of consultation and participation by affected parties. One of these aspects is the management mechanism. The Trust appears to be an excellent means to balance and resolve the sometimes conflicting goals for purchase, preservation, and operation of the Valles Caldera National Preserve. The Board of Trustees is a well thought-out and balanced representation of the various interests, while still being of a workable size. We applaud the inclusion as Trustees the Superintendent of Bandelier National Monument and the Supervisor of the Santa Fe National Forest. The inclusion of a trustee active in State or local government in New Mexico is particularly gratifying to the County Council. We hope that a member of our Council will be considered for this position on the Board of Trustees, considering our proximity and the potential impact the Preserve may have on the Los Alamos community.

As one views the Valles Caldera and contemplates the challenges that will face the management trust envisioned in this legislation, one cannot help but think of the word "trust" not in its legal sense, but in the responsibility we shall be placing in that body. We shall be entrusting to that entity an irreplaceable and special place to manage for generations to come.

CHALLENGES IN MANAGING THE PRESERVE TO MEET ITS GOALS

We commend the sponsors of this Bill for the many management goals that are included in the "Findings" and "Purposes" subsections. All of the many relevant interests have been adequately identified and included. The challenge of the Trustees will be to balance these many interests for the overall good of the Preserve, and to manage conflicts when these goals compete with each other, which will most certainly occur. On one hand, the Trust is charged with "protecting and preserving for future generations" the many outstanding features of the property, as well as with providing opportunities for public recreation. On the other hand, the Trust is directed to "provide for sustained yield management" for timber production and domestic livestock grazing and to "promote long term financial sustainability." Meeting all these goals will be challenging. To do so, the "experimental management regime" will have to be allowed to be creative and will not be able to meet all of the wants of all of the parties.

Particularly challenging is the laudable goal for the Trust to become financially self-sustaining. There is concern this goal could drive a magnitude of resource consumption (e.g., timber harvesting and grazing) inconsistent with the preservation goals. Perseverance and patience will be necessary to achieving the self-sufficiency goal without sacrificing the character of the Preserve. Los Alamos has experience in this endeavor. We have worked hard for more than 30 years to achieve economic self-sufficiency and we are still not sure we have succeeded. After World War II, Los Alamos remained entirely a Federally-owned community until the mid-1960s. Then the County government took over provision of public services and civil properties were sold to residents and businesses occupying them. Congress made annual appropriations to support the County from 1966 to 1997. Over this period Federal payments declined from 70% to less than 15% of the County's budget, whereupon the Federal government determined we were within striking range of being financially self-sufficient and terminated the assistance. It appears that we will attain that goal, but it has taken longer than anyone anticipated in the 1960s. We urge this Committee and the Congress not to give up on the self-sufficiency goal for the Valles Preserve if it can not be reached in the 20 year time period specified in the Bill.

The Committee should be aware that one of the reasons Los Alamos County has taken so long to be self-sufficient is its isolation from transportation corridors. The security afforded by this isolated location is one of the reasons Los Alamos was selected for its initial mission. We have learned, however, that this isolation creates difficulties in attracting non-Federal investment and spending. The Valles Preserve may well suffer from similar difficulties. We note that the Trustees have the authority to make physical improvements within the Preserve to allow better use of its resources. Adequate public access to the Preserve will likely also require improvements to the off-site infrastructure. Although the Bill does permit the Trust to conduct business outside the Preserve's boundaries, it is not clear to us whether the Trustees will have the authority to invest in transportation improvements on nearby Federal lands to make the Preserve itself more accessible and to increase its chance of becoming self-sufficient.

FEDERAL LAND TRANSACTIONS

We would also like to speak briefly to Title II of the Bill. Los Alamos County has extensive experience with Federal land transactions. Like many counties in the western United States and particularly in northern New Mexico, Los Alamos, Rio Arriba, and Sandoval counties have major Federal land holdings. In Los Alamos County 87% of the land is Federally-owned, and this pattern is repeated in our two neighboring Counties. In Los Alamos, the two large residential developments now underway are located on land obtained recently from two Federal agencies by trade and sale, but only after nearly twenty years of effort by many parties. We are currently in the midst of a transfer of over 2,000 acres of land from the Department of Energy under provisions of PL 105-119, Sec. 632. At this point three years after that law's passage, both DOE and the County have generated huge volumes of paper but not one square foot of land has been transferred. The point of this recitation is not to complain. We understood the process when we embarked on this path. But because of our experience, the County supports the concept of Title II and any other attempts by Congress to improve mechanisms and remove the impediments to the transfer of Federal land. We are sympathetic to the problems of in-holdings as being detrimental to the rational use of property and are supportive of the disposition of fringe areas in order to consolidate those holdings.

SUMMARY

In summary, the Los Alamos County Council fully supports the purchase of the Baca Ranch to form the Valles Caldera National Preserve, and the Council supports the management structure for the Preserve as

represented in HR 3288. The County Council applauds and thanks the sponsors of HR 3288 and S. 1892 for their courage and foresight. The County Council also supports the Federal Land Transaction Facilitation Act to help balance Federal property ownership patterns. The County Council stands willing to offer whatever assistance it can to ensure that the Valles Caldera National Preserve is an outstanding success.

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