

TESTIMONY

Subcommittee ON National Parks, Forest and Public Lands Hearing On “Building Success: Implementation of the Secure Rural Schools Program”

Thursday, July 29, 2010

Presented On Behalf of the New Mexico Association of Counties and Rio Arriba County

Presenter: Elias Coriz, Immediate Past Board Member and Treasurer, New Mexico Association of Counties; Member, Rio Arriba County Board of Commissioners, former Member, Espanola Valley Schools Board of Education

First, let me thank the Honorable Chairman of this Committee, Congressman Grijalva and all the other Members of the committee for the opportunity to provide a local perspective in regard to this very important legislation. I would also like to acknowledge, and thank, our own Congressman Ben Ray Lujan, Jr., a member of this Committee, for all the support that he provides for his constituents in Northern New Mexico.

22 of 33 New Mexico counties receive some Secure Rural Schools and Community Self Determination Act (SRSCA) funding. For over a century counties have helped the federal government meet the commitments embodied in the philosophy, mission, and goals of the Forest Reserve Organic Administration Act of 1897.

The Rio Arriba County Commission has for the past seven and a half years that I have served, taken steps to implement numerous projects compatible with SRSCA in addition to, spending county general fund dollars pursuing similar goals. Rio Arriba County is larger than the three of our smallest states; we have over five-thousand-eight hundred square miles of land within the county, 70% of which is in the public domain. We have nearly nine- hundred miles of county roads in our inventory and over half that mileage provide access to National Forest Lands or are within Forest Boundaries. We have had agreements in place for decades to assist the Forest Service and Bureau of Land Management maintains not only on county roads but some of their roads as well, this is where 85% of the SRSCA money goes. New Mexico law requires that the Title I monies go into the road budget, a restricted fund.

Prior to 2008 the County received less than two-hundred thousand dollars per year for our road fund, and sixty thousand for Titles II and III. The increase in road monies that came with the adjusted, and more equitable, 2008 funding formula has resulted in upgraded road construction. The county has been able to pave some of the primary roads that serve rural communities, roads that also serve the forest lands.

As an example of the use of Forest Service lands in Rio Arriba County, the Rainbow Family had their reunion in 2007 on the Carson National Forest and on the Santa Fe National Forest in 2009. Nearly ten thousand family members attended these reunions and placed extraordinary demands on county law enforcement, emergency medical services, road maintenance, hospitals clinics and other local services. Repairing the ecological damage at the end of a month of forest camping by the equivalent of a medium size city population involved many volunteers and county and Forest Service staff to clean and repair a very large area. All this happened through cooperation between three counties (Rio Arriba, Taos and Sandoval) and the Forest Service.

We have been working closely with our rural forest dependent Indio-Hispano villagers and our Tribal communities to implement removal of invasive exotic vegetations and conserve water. Rio Arriba County is diligent in the protection of usufructory rights of our rural communities to forest resources where those were connected to grant lands. The advocacy for Treaty of Guadalupe Hidalgo is a duty imposed on New Mexico County Commissions and State Officials in our State Constitution and the treaty is inexorably tied to National Forest Lands. We have engaged our communities in developing the vision and goals embodied in our County Comprehensive Plan. The Comprehensive Plan tracks closely with those initially adopted in the Organic Act and today are part of SRSCA. In implementing our Comprehensive Plan we have adopted Ordinances to protect our very limited irrigated agricultural lands, worked with community water associations and traditional irrigators to maintain water quality and to protect future supply. We have moved to regulate Oil and Gas Development to protect private property owners and to protect our aquifers, and we have also adopted a "Best Practices" Timber Ordinance for harvesting timber on private lands, successfully defending the ordinance from a legal challenge. Many of the private lands that are now regulated in the ordinance are surrounded by National Forest. We have also funded the work of several youth groups including the youth conservation corp. on Forest Service Lands.

The New Mexico Association of Counties has had numerous discussions with member counties related to their relationship with the Forest Service. Most New Mexico counties are engaged in projects similar to those described for Rio Arriba County. The Association currently has Memorandums of Understanding with both the BLM and US Forest Service and has had a federal employee liaison working full time with the Association and member counties to implement public lands initiatives such as watershed protection, wild land fire planning and mitigation, forest restoration and other federal programs all of which are allowed under titles II and III of SRSCA

Because of the history of the loss of Land Grants and more recently the loss of multiple use of forest lands due to such laws as the Endangered Species Act, the people of Rio Arriba County, at times, have had a strained relationship with the Forest Service. It is sometimes difficult to get the county residents to trust and engage in activities with the federal agencies.

Frances Swadesh, respected New Mexico historian in her treatise on the Tierra Amarilla Land Grant puts it this way:

"When the Court of Private Land Claims was dissolved in 1904, the federal government had acquired control over more than fifty-two million acres of land in New Mexico. Many of these acres, opened for homestead entry, fell into the hands of powerful ranching and mining interests, while nearly nine million acres were set aside for national forests."

She goes on to say state that: "During the early territorial years, the villagers on their scattered land grants did not realize the magnitude of what was taking place: a wholesale violation of their property rights as guaranteed by the Treaty of Guadalupe Hidalgo."

County governments try hard to fulfill our commitments and responsibilities to all our residents under existing federal and state laws, hundreds of Acts, legal cases and regulations have been promulgated since the Organic Act of 1897. The inconsistent approach by the federal government puts states and counties at a real disadvantage to plan budgets and long term projects. We most often do not know when the political ground will shift out from under us.

The New Mexico Association of Counties and Rio Arriba County endorse the recommendations forwarded by the Senate and the Congress in letters sent to President Barack Obama dated July 14 and 15, 2010 encouraging him to include a long term extension of SRSCA

in his 2012 budget. The letters are signed by over seventy Congressmen and thirty Senators .A review of the signatures accompanying the letters clearly indicate bi-partisan support for reauthorizing SRSCA. This was true in 2000 and again in 2008 when it was extended six and four years respectively with changes in funding and requirements.

The New Mexico Association of Counties and the County of Rio Arriba also support the National Forest Counties and Schools Coalition's Concept Paper titled "The Sustainable Forests and Secure Rural Schools and Counties Act of 2010." (Herein included as an exhibit for the record)

If you look at the statistics, those counties who have large tracts of National Forest Lands rank among the poorest, most unemployed, have the poorest access to health care and endure numerous other challenges. Let us continue to join our efforts to keep forest dependent communities sustainable in their cultural, economic and social vitality for this will be the best strategy for conserving and benefiting from the beauty and bounty of our National Forest Lands.