

The proposed M.H. Dutch Salmon Greater Gila Wild and Scenic Rivers Act as currently written needs to be amended. If enacted the provisions should be limited to stretches of the Gila River that already protected by the Gila Wilderness Area designation. The Gila Wilderness encompasses 558,014 acres and was established in 1924 as the nation's first wilderness area. Stretches of the Gila River proposed in the legislation include lands outside the wilderness area that have been managed for multiple use for over a century now. The proposed legislation will not change or improve any portion of the Gila River regarding its current state. Its only effect will be to curtail or limit future actions and opportunities for residents who own property adjacent to the Gila River or have an economic interest based upon its historical use.

Furthermore, the legislation will not improve more habitat by further restrictive protections that it would ultimately mandate. The river has already been declared critical habitat for the Southwestern Willow Flycatcher and the Spikedace and Loach Minnow. The 1993 listing of critical habitat for the Willow Flycatcher protects the entire Gila River system, incorporating some 640+ miles. Since 1994, extensive, ongoing research has shown that the only truly successful population the Southwestern Willow Flycatcher is located on private lands owned and managed by nongovernmental agencies. Even after three decades of protection on federal lands that include the Gila wilderness, Flycatcher populations have not increased in those locations. The same can be said for populations of both the listed minnow species as the healthiest populations of those species are found on nonfederal managed lands. The proposed M.H. Dutch Salmon Greater Gila Wild and Scenic Rivers Act will not protect these species any further by its enactment.

The name of the act itself identifies the criteria that should be used to identify a river for a Wild and Scenic designation. Citizens in

southwestern New Mexico have depended on the Gila River for their livelihoods for well over one hundred years, and the future of communities in the area rely on the continued use of its water resources. While there is little debate about the river being scenic, the concept of the river being “wild” along many of its stretches is subject to some dispute.

The only groups who stand to benefit from this designation are radical preservationist groups and their attorneys because it will prompt unlimited future lawsuits aimed at controlling multiple-use activities already being conducted along the river by deeming them unacceptable. Proponents of the act say it will not affect private property. In reality, it will create issues for funding various projects along the river with federal monies, permitting projects on private lands, and the potential mandate of instream river flows to protect so-called endangered species.

The act has been drafted by special interest groups that ideologically oppose agriculture, farming, ranching, mining, private property rights, water rights, community development, and land ownership. The local communities who have a direct, vested interest with the consequences of the act being implemented have intentionally been excluded from the drafting efforts of the M.H. Dutch Salmon Greater Gila Wild and Scenic Rivers Act legislation. This exclusion was done intentionally to limit the opposition that has surfaced recently at the proposed community outreach sessions. The act was drafted prior to the community’s outreach sessions and further demonstrates the true intentions of the proponents. These are the reasons that I do not believe that the M.H. Dutch Salmon Greater Gila Wild and Scenic Rivers Act should be passed.