

Last week Senators Udall and Heinrich introduced the MH Dutch Salmon Greater Gila Wild & Scenic River legislation. According to their press release it was “balanced legislation, developed after extensive outreach and taking into account a diverse array of New Mexico voices”. We at Heritage Waters Coalition were appalled at the adacity of that lie. Not once did either of the senators visit with the citizens along the Gila. Outreach only occurred after the final drafts were completed. Maps were not made available until early this year. All the planning and developing of the act, a process that took more than 3 years, occurred without our input. The very people who are impacted the most were shut out of the process. Heritage Waters Coalition was organized in response to these actions. The people who live, work, and make their homes along the Gila river and its tributaries are most predominately and adamantly opposed to W&SRA. They are rural citizens. Many have owned their properties for generations, their ancestors having farmed and ranched the same land for over 100 years. They have been the watchmen and protectors of that water since before statehood. They kept irrigation ditches and the river maintained and clean, ever aware of the precious commodity that is water. The W&SRA is a direct and viable threat to their property, livelihood, and heritage. These are some of the reasons why:

As with other environmental based legislation W&SRA provides an avenue for costly litigation. The Forest Service and other agencies will spend more time on paperwork and litigation prevention/defense and less time in providing services. Such costly legal defense is nearly impossible for an individual thereby often costing them their property.

The W&SRA provides for condemnation of easement and has been used to take more than 6000 acres of private property. The senators claim to have provided language to avoid that but they cannot change the language of the original act. When litigation occurs decisions are made based on the original legislation.

W&SRA requires an appointed custodian, a position that gives control of our river and lands to a Washington based bureaucrat. This eliminates local and state control, leaving our rural citizens without voice or representation.

W&SRA has a minimum flow requirement. During times of drought the custodian will require that the MFR be met by reducing or eliminating water rights until the drought is over. Because droughts are plentiful and long in the southwest this one requirement alone can destroy ranches, farms, our mining industry and families, all of whom would have no legal recourse.

W&SRA designates rivers and tributaries beyond the wilderness boundaries that flow through private property. Sec 7 of the act states that if any project *above or below* the designated river is deemed to have a negative impact federal law will stop the project, no matter how important or needed. That means almost the entire length of the Gila river, from the headwaters to the Arizona state line will be under the control of the W&SRA custodian and federal courts. Clearly private property outside the designated river corridor will be adversely impacted.

There are many other reasons to oppose this legislation but perhaps the most important reason of all is that it disrespects the traditional and historical heritages of the people along the river. Our land and water are not commodities to be exploited for agendas or political gain. Our communities are often underserved and ignored because we are few in numbers. But we are here and our lives and heritage matter! Join us at [www.heritagewaters.org](http://www.heritagewaters.org) It's our water, our land, our heritage!