

Wilderness issue generates diversity of public opinion

Will altered bill's buffer zone address border issues?

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For the Las Cruces Bulletin

For some, it's a natural refuge from urban life. To others, it's a potential drug smuggling corridor just waiting to happen.

That's a key divide that has emerged in the debate over long-pending legislation sponsored by U.S. Sens. Tom Udall and Jeff Bingaman to designate 259,000 acres of federal lands in Doña Ana County as wilderness, and another 100,000 acres as national conservation areas.

The legislation's critics say the proposal to designate about 100,000 acres of wilderness in the Potrillo Mountains in southern Doña Ana County, a few miles north of the Mexican border, would restrict the Border Patrol's ability to conduct routine operations in the area and, as a result, attract drug smugglers and illegal border crossings.

A September guest editorial in the *Las Cruces Sun-News* by an energy industry advocate, Marita Noon, said the Organ Mountains-Desert Peaks Wilderness Act would "create an illegal immigrant superhighway" in southern New Mexico.

Representatives of the National Association of Former Border Patrol Officers have said southern New Mexico will become the next Arizona, the nation's busiest corridor for illegal border crossing, if the Potrillos are designated wilderness.

U.S. Rep.-elect Steve Pearce has also voiced concerns that the bill could hamper the Border Patrol.

But the legislation's defenders say those concerns are overblown. The proposed wilderness does not sit right on the border as in Arizona, and the area has seen little more than a trickle of illegal activity in recent years.

Even so, after the border security concerns were raised during a heavily attended February field hearing of the Senate Energy and Natural Resources Committee in Las Cruces, Udall and Bingaman amended the legislation to provide the Border Patrol greater flexibility to operate in the area.

The changes redrew the proposed Potrillo Mountains wilderness boundary, pulling it back to create a three-mile

buffer along the border where the Border Patrol can operate unfettered. The revision expanded the original buffer, which had been as little as one-third of a mile in one area.

The senators also proposed a two-mile "restricted use area" on the wilderness' southern edge, where the Border Patrol would be able to drive vehicles, set up mobile surveillance cameras and install communications equipment. Motorized access by the general public would be prohibited in that area.

Altogether, the amendments would create a five-mile buffer of non-wilderness, a marked improvement over the original proposal, said Bingaman spokeswoman Jude McCartin.

The amendments removed 42,000 acres of land from the originally proposed wilderness areas covering the east and West Potrillo Mountains, which are a checkerboard of federal Bureau of Land Management, state and private holdings. Other changes clarified that the Border Patrol could enter the wilderness in vehicles when in hot pursuit of suspects; stated that low-level surveillance flights could be conducted over the area; and carved out an east-west access road through the Potrillos for the Border Patrol to look for signs of foot traffic and to leapfrog suspects.

Debate continues

Jeff Steinborn, the New Mexico Wilderness Alliance's southern director, said the amendments adequately address border security concerns.

"We've all been dealing with this issue in Doña Ana County for a long time now, and I think there are those out there who want to use this issue to divide us," Steinborn said. "We've debated this. It's time we passed this once and for all."

Critics say they are not convinced the modifications will prevent the area from becoming a haven for drug smuggling and other illegal activity.

Las Cruces businessman Tom Hutchinson, chairman of the Greater Las Cruces Chamber of Commerce's governmental affairs committee, said,

"This is not the climate to be

talking about wilderness bumping up against the border. Whether you think wilderness is a good idea or not, we have to get our arms around national security."

In comments submitted to the legislators, George Taylor, a representative of the National Association of Former Border Patrol Officers, warned that when a wilderness area is established near the border "the criminal element moves in and trashes it because the restrictive wilderness or refuge status ... effectively prevents all law enforcement from effectively working the area.

"In other words, the refuge or wilderness designation actually serves to put the environment at greater risk of being seriously damaged and defaced."

Taylor wrote that no wilderness areas should be established within 100 miles of the Mexican border.

An article posted in October on the website of the Center for Immigration Studies, a group that advocates for more restrictive immigration policy, said if the legislation becomes law, "New Mexico will likely become the next staging ground for drug cartel and illegal alien smuggling activity, tracking what happened in Arizona."

Bill supporters say opponents are using fear tactics to stall the legislation.

Advocates note that the Potrillos, which are about 15 miles west of the Border Patrol's Santa Teresa station, see little illegal traffic now. If the area were an attractive smuggling corridor, they argue, drug traffickers would have used it already.

At a public meeting in Deming last month, Kevin Martinson, assistant patrol agent in charge of the Border Patrol's Santa Teresa station, said that last fiscal year agents apprehended only 13 people in the area around the Potrillos.

The border south of the Potrillos is fortified with 35 miles of Normandy-style vehicle barriers. Federal contractors in recent years have expanded fencing to keep out border crossers on foot from Sunland Park, on El Paso's west side, to

the Santa Teresa port of entry.

Overall, the number of illegal immigrants apprehended on New Mexico's border has declined nearly 90 percent since 2005.

Community divided

El Paso real estate developer Robert Veliz, who owns 240 acres east of the proposed Potrillos wilderness, supports the bill. In the two years since he acquired his land, Veliz said he has never seen an illegal immigrant moving through the area during monthly trips to the mountains. Veliz said drug smugglers are more likely to detour once they hit the east-west highway N.M. 9, just south of the Potrillos, than continue north through the rugged mountains.

"Why the hell would they want to go through the Potrillos and then to Las Cruces? It makes no sense," Veliz said.

A rancher who has lived and worked around the Potrillos for 11 years, Dudley Williams, said he has not seen drug smugglers or illegal immigrants in the area, but he's seen signs of traffic, mainly damage to cattle drinkers and other water sources. He said illegal traffic will only get worse with wilderness designation, adding that the bill

"scars the hell out of me, frankly."

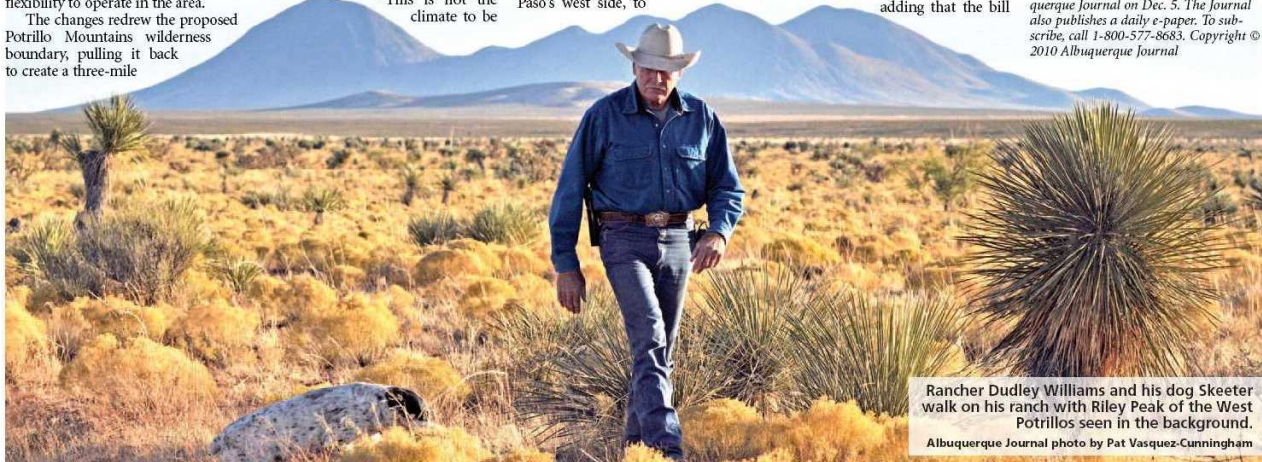
Williams has other reasons for opposing the bill as well. "The thing I have against it is it's not just my ranch. It's the freedom of the people to enjoy the land they should be able to enjoy," Williams said. "And a wilderness designation anywhere in Doña Ana County takes that freedom from anybody. ... It's not saving it for anybody."

The bill has pitted farming and ranching organizations, four-wheel drive clubs, sportsmen and a local group called People for Preserving Our Western Heritage against conservation groups, horsemen, other sportsmen and some local governments.

Renee Frank, chairman of the board of the Las Cruces Green Chamber of Commerce, said the wilderness designations will enhance the real estate market by preserving natural assets that draw newcomers, a position also backed by the Hispanic Chamber of Commerce.

Whether Democrats will try to bring the wilderness bill, introduced in September 2009, to a vote in the full Senate during the lame duck session remains unclear.

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Rancher Dudley Williams and his dog Skeeter walk on his ranch with Riley Peak of the West Potrillos seen in the background.
Albuquerque Journal photo by Pat Vasquez-Cunningham