

VERMEJO RANCH

GOVERNMENT

Storage

HEARING

BEFORE THE

SUBCOMMITTEE ON ENVIRONMENT,
SOIL CONSERVATION, AND FORESTRY

OF THE

COMMITTEE ON
AGRICULTURE AND FORESTRY
UNITED STATES SENATE

NINETY-SECOND CONGRESS

SECOND SESSION

ON

S. 2699

A BILL TO AUTHORIZE THE ACQUISITION OF LANDS WITHIN
THE VERMEJO RANCH, NEW MEXICO AND COLORADO, FOR
ADDITION TO THE NATIONAL FOREST SYSTEM, AND FOR
OTHER PURPOSES

FEBRUARY 29, 1972

Printed for the use of the Committee on Agriculture and Forestry



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THEORY

The theory of the present investigation is based on the assumption that the rate of change of the concentration of the reacting species is proportional to the rate of change of the concentration of the product. This is a reasonable assumption for a reaction of the type $A + B \rightarrow C$, where A and B are the reactants and C is the product. The rate of change of the concentration of A is denoted by $\frac{d[A]}{dt}$, and the rate of change of the concentration of C is denoted by $\frac{d[C]}{dt}$. The rate of change of the concentration of B is denoted by $\frac{d[B]}{dt}$. The rate of change of the concentration of A is equal to the negative of the rate of change of the concentration of C , and the rate of change of the concentration of B is equal to the negative of the rate of change of the concentration of C . This is expressed mathematically as follows:

$$\frac{d[A]}{dt} = -\frac{d[C]}{dt}$$
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VERMEJO RANCH

TUESDAY, FEBRUARY 29, 1972

U.S. SENATE, SUBCOMMITTEE ON ENVIRONMENT,
SOIL CONSERVATION AND FORESTRY OF THE
COMMITTEE ON AGRICULTURE AND FORESTRY,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:05 o'clock a.m., in room 324, Old Senate Office Building, Senator B. Everett Jordan of North Carolina, presiding.

Present: Senator Jordan of North Carolina (presiding).

Also present: Senator Anderson.

Senator JORDAN. The subcommittee will please come to order. Senator Anderson, Senator Montoya, and Congressman White, we are delighted you are here this morning as well as all of the other witnesses and interested parties. I have an opening statement which I will read and it will go in the record at this point.

The subcommittee is holding hearings today on S. 2699. This bill would authorize the Secretary of Agriculture to acquire such lands, waters, and interests as he deems desirable for national forest purposes within the proposed Vermejo Ranch Purchase Area as shown on a map on file in the Office of the Chief of the Forest Service. Acquisitions would become a part of the Carson National Forest. Moneys appropriated from the land and water conservation fund would be available for such acquisitions; and such acquisitions would not be counted for the purpose of the provision of section 6(a)(1) of the Land and Water Conservation Fund Act of 1965, which provides that not more than 15 percent of the acreage added to the national forest system pursuant to that section shall be west of the 100th meridian.

A copy of the bill and the report will be inserted in the record at this point.

(The documents follow:)

[S. 2699, 92 Cong., 2 sess.]

A BILL To authorize the acquisition of lands within the Vermejo Ranch, New Mexico and Colorado, for addition to the national forest system, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to assure that the outstanding natural resources of the area known as the Vermejo Ranch, within the Maxwell and Sangre de Cristo land grants, New Mexico and Colorado, will be managed and protected for public use and enjoyment, under the principles of multiple use and sustained yield, the Secretary of Agriculture is hereby authorized to acquire under this Act or under other authorities available to him such lands, waters, and interests therein as he deems desirable for national forest purposes within the area generally depicted on a map entitled "Proposed Vermejo Ranch Purchase Area", which is on file and available for public inspection in the Office of

the Chief, Forest Service, Department of Agriculture. Any such acquisition may be made by purchase with donated or appropriated funds, by gift, by exchange, by transfer under provisions of the Act of July 9, 1962 (43 U.S.C. 315g-1) as though the lands were within the exterior boundaries of the national forest, by transfer under the provisions of the Federal Property and Administrative Services Act (63 Stat. 377, as amended, 40 U.S.C. 471 et seq.), or otherwise.

SEC. 2. Moneys appropriated from the Land and Water Conservation Fund shall be available for the acquisition of lands, waters, and interests therein for the purposes of this Act: *Provided*, That the acreage of such acquisitions shall be excluded from a computation of acreage added to the National Forest System west of the one hundredth meridian for the purposes of the acreage limitation set forth in subsection 6(a) (1) of the Land and Water Conservation Fund Act.

SEC. 3. Lands, waters, and interests therein acquired pursuant to this Act shall, immediately upon acquisition or transfer thereof, be included in the Carson National Forest and shall be subject to the laws and regulations applicable to the national forest.

SEC. 4. There are hereby authorized to be appropriated such sums as are necessary for the acquisition of lands, waters, and interests therein for the purposes of this Act.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., February 28, 1972.

HON. HERMAN E. TALMADGE,
Chairman, Committee on Agriculture and Forestry,
U.S. Senate

DEAR MR. CHAIRMAN: As you asked, here is our report on S. 2699, a bill "To authorize the acquisition of lands within the Vermejo Ranch, New Mexico and Colorado, for addition to the national forest system, and for other purposes."

S. 2699 would authorize the Secretary of Agriculture to acquire, through various means, the 480,000 acre area known as the Vermejo Ranch in the States of New Mexico and Colorado. Monies from the Land and Water Conservation Fund would be generally available for the acquisition of lands, waters and interests therein within the Ranch. Upon acquisition the lands would be included in the Carson National Forest and would be subject to the laws and regulations applicable to the National Forest.

The Vermejo Ranch is a large ranch property located in the Sangre de Cristo Mountains, largely in Northeastern New Mexico. It has been held intact as a family ranch for many years, and after the recent death of its owner, is being offered for sale to settle his estate.

We recognize that the Vermejo Ranch has special scenic and substantial natural resource values. The estimated asking price for the property is \$26.5 million, which averages approximately \$55 per acre. A principal source for acquisition would be the Land and Water Conservation Fund. Monies available for Federal land acquisition from this Fund have been allocated to other projects on which we must place a higher priority. Relative to other purchases we intend to make with Land and Water Conservation Fund monies, the Vermejo Ranch property is remote from population centers, and would be used primarily by visitors who are close to other wildland recreation opportunities. Even beyond the question of Land and Water Conservation Fund monies, there is no assurance that other means of acquisition as contemplated by the bill could be utilized to meet estimated asking price.

For these reasons, we recommend that S. 2699 not be enacted.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

T. K. COWDEN,
Assistant Secretary.

Senator JORDAN. Senator Anderson, I again welcome you to the hearing. You may proceed as you please. Your entire statement will go in the record at this point if you do not care to read it all.

**STATEMENT OF HON. CLINTON P. ANDERSON, A U.S. SENATOR
FROM THE STATE OF NEW MEXICO**

Senator ANDERSON. I have a physical disability. I would appreciate having the full statement in the record.

Senator JORDAN. It will be inserted in the record at this point.
(Senator Anderson's prepared statement is as follows:)

Mr. Chairman, first, I would like to express my deep appreciation to you and the members of your subcommittee for arranging this hearing today. I know how pressed you are for time, and I will try to make my remarks as brief and to the point as possible.

My bill, S. 2699, would authorize the Government to acquire the Vermejo Ranch in New Mexico and Colorado and add this 480,000-acre tract to the Carson National Forest.

The Vermejo Ranch is the heart of the old Maxwell Land Grant, originally granted by the Governor of Mexico on January 11, 1841, and finally confirmed by the United States Supreme Court in 1887. The grant originally contained approximately 1,714,765 acres. During the next 50 years after the confirmation of the grant, there were numerous subdivisions of the grant. These tracts passed from one owner to another until 1945 when Mr. W. J. Gourley, a prominent businessman from Ft. Worth, Texas, began acquiring property in the area. Between 1945 and 1948, Mr. Gourley purchased several tracts and consolidated them into what is now known as the W-S or Vermejo Ranch.

This tract of land adjoins the Carson National Forest and could be easily managed by the Forest Service as a part of the Carson. The Vermejo Ranch is one of the finest areas of forest land in the Southwest and would be a public asset that would continue to grow in value.

The ranch includes some of the highest water-yielding areas in the State of New Mexico. The water resources are very impressive, consisting of more than 60 high country fishing lakes with about 2,000 total surface acres and over 100 miles of trout streams. Artesian water is present in the vicinity of Adams and Bartlett Lakes and supplies about 60 surface acres each. About 2,500 acres of the ranch are cultivated and irrigated, and there is a water right to 1,000 acre-feet per annum in Eagle Nest Lake for irrigation of part of this acreage.

The Vermejo Ranch is one of the most outstanding hunting and fishing areas in the Southwest. The owners have conducted extensive stocking programs and have maintained quality fishing with trout running in the 3- to 7-pound range. There are large populations of elk, estimated at about 7,000, 40,000 deer, several thousand turkey, 200 to 300 antelope, and undetermined numbers of bear and mountain lion. The small game includes grouse, quail, dove, ducks, rabbits and squirrels.

About two-thirds of the ranch is commercial timber land, of which about two-thirds is ponderosa pine, and the balance, spruce and mixed conifer. There is a timber sale agreement whereby the Pacific Lumber Company purchased the timber rights on 362,000 acres. The contract runs until December 31, 1990, and the company has the right to harvest all timber of a diameter of 8 inches or larger. There are very strong restrictions placed on logging practices, and once an area has been logged, it cannot be relogged. Except in the Mt. Baldy area, there has been no attempt to cut the 8-inch to 12-inch diameter class allowed in the sale agreement. I have been advised by the Forest Service in New Mexico that this cutting has been extremely well-managed and that proper disposal of brush and slash has been made, as well as restoration of the surface where needed.

During the past 25 years, the owners of the ranch have constructed an unbelievable number of range improvements. I am told that there are more than 400 miles of fence, 300 wells equipped with windmills, more than 100 stock tanks, more than 50 corrals, approximately 15 cow camps, and over 5,000 linear feet of wind and snow breaks. The stocking of the land has been conservative and, therefore, the range land is in excellent condition. There are approximately 10,000

head of cattle on the ranch, now; and it is estimated that at times, Mr. Gourley grazed as many as 19,000 head when he leased some adjoining land.

There are three outstanding oil and gas leases on about 62,000 acres. The leases are to continue for 10 years and as long thereafter as oil or gas is produced. Exploratory drilling was conducted nearly 10 years ago, but all wells were dry holes and no production ever occurred. Drilling ceased several years ago. Kaiser Steel Company holds a coal lease on about 252,000 acres. The lease permits the company to use sufficient of the surface to operate the mines but does not permit town sites. All exploration reports indicate that all present and future mining would be deep underground mining of coal with very little surface disturbance.

I view this tract of land as one of the most valuable of its kind in the Southwest and believe it is an asset that should be acquired and preserved by the Government for the people of this country. If purchased by the Government and added to the National Forest and managed under the multiple use laws, it would provide outdoor recreation of many varieties to thousands of people from many states annually. It would provide grazing for approximately 10,000 head of cattle belonging to local ranchers. The ranchers in this area are mostly individuals with a very few head of livestock and are, for the most part, at or below the poverty level income. Grazing permits would enable these people to increase their herds and flocks and be a tremendous economic boost to a chronically depressed area. In the past, the income from this ranch has mostly gone to Texas banks; and except for some employment of local people, it has not been a great economic asset to the State of New Mexico. In the years to come, there will, of course, be a new timber crop to be harvested; and the value of this timber we expect to be much greater than it would be at this time.

The Gourley Estate has offered this ranch to the Government for approximately 26 million which, according to appraisals made and provided me by the Forest Service, is not out of line with other sales in New Mexico. If the ranch is not acquired by the Government, there is a possibility that this important watershed will be broken up and sold to speculators, or to a Japanese company that has been trying to acquire the ranch for exploitation. I hope that we can put this valuable land into public ownership.

During private discussions of the bill which I introduced, a representative of the Bureau of Internal Revenue indicated that in the settlement of the Gourley Estate, there will likely be considerable tax due the Government. I would not want any transfer to the Government to, in any way, relieve the Gourley Estate from payment of any just tax or other debt to the Government. Therefore, I recommend that the following language be inserted at the appropriate place in the bill:

Notwithstanding any other provision of this Act, all transfers and acquisitions authorized herein shall be taxable under the provisions of the Internal Revenue Code of 1954 in the same manner and to the same extent as if the lands, waters and other interests were transferred to a tax-paying individual or corporation.

With this amendment to the bill, I strongly urge your committee to give a favorable report on S. 2699 at an early date so that we might have an opportunity to pass this legislation during this session of Congress. The companion House bill has already been favorably reported by the House Subcommittee on Forests to the full House Agriculture Committee. I believe that time is of the essence, and that if the Government is to acquire this land, we must pass authorizing legislation during this session or forget the whole proposal. I am reasonably sure next session will be too late.

Again, I wish to thank this committee for so promptly arranging this hearing.

Senator ANDERSON. Senator Montoya will speak.

Senator JORDAN. Fine. Thank you for being here. I know you are very much interested in this project because part of it is in your State.

STATEMENT OF HON. JOSEPH M. MONTOKA, A U.S. SENATOR FROM THE STATE OF NEW MEXICO

Senator MONTOKA. Thank you, Mr. Chairman. At this point I want to associate myself with the statements made by Senator Anderson in his comments filed before this committee and want to present my statement for inclusion in the record at this point. Then, if you will permit me, I will highlight it.

Senator JORDAN. You may proceed as you wish and it will be included. I have it before me. I will give it to the reporter.

Senator MONTOYA. Mr. Chairman, this bill was introduced by Senator Anderson, myself and Senator Bentsen. It provides for acquisition, as you stated in your opening statement, by the Forest Service of Vermejo Park, one of the fine ranches of our country. It is located in northern New Mexico and part of southern Colorado, and is a tract consisting of 480,000 acres located on the New Mexico-Colorado border. Most of it lies in Colfax County, N.Mex., east of the Sangre de Cristo Mountains; 80,000 acres lie west of the divide in Taos County and 4,000 acres are in Costilla County, Colo.

This ranch holding dates back to 1841, the year in which the Mexican Government made a grant to certain people in New Mexico.

Subsequently, as you know, we had the Mexican War. The Treaty of Guadalupe Hidalgo honored this grant. Boundaries were confirmed by the U.S. Supreme Court in 1887. This was better known as the Maxwell land grant since it was owned by Lucien Maxwell at the time.

We have had a turbulent history in New Mexico with respect to these land grants.

Now is the time for the Federal Government to start righting past wrongs and redressing grievances caused by injustices more than a century old. These evils were perpetrated by landgrabbers who flocked to New Mexico after the Mexican War, with court appointments in their pockets—and I mean this literally, Mr. Chairman. They came to our State in hordes, determined to make a shambles of property rights of the original settlers of our State, almost all of whom were Hispanos.

Federal acquisition of the Vermejo property would be a long step in the direction of eliminating residual bitterness surrounding these and other old land grants.

Much of the Vermejo land was once property of land grant owners. All these people were Hispanos. They regarded these acres as their own, residing upon and utilizing these areas until the end of the U.S. war with Mexico. Here was the opportunity landgrabbers had long sought. The lands they coveted were open to exploitation.

With U.S. acquisition, a new system of laws, courts, and jurisprudence was superimposed upon the old colonial Spanish-Mexican way of life. Original settlers were relatively helpless. They did not understand new jurisprudence, new laws, and new taxes that were imposed. So these lawyers took advantage of them.

Lawyers from the East descended upon the newly acquired territory of New Mexico, intent upon building personal fortunes. They formed a cabal known to historians as the Santa Fe Ring. Operating from Santa Fe and the State Capitol, they utilized Anglo-Saxon law to deprive native Hispanos of rights to vast acreages, including most of the Vermejo properties. A dark, ignoble page was written in American history because of such activities. Spanish people with little knowledge of English and less understanding of American law, were taken advantage of in a variety of ways. Documents were forged. People were intimidated. Battles raged in the courts. Shootings were common. Many people died, most of them Hispanos. When the conflict at last terminated, enormous land holdings had been switched from the hands of Hispanos to Anglo owners, often for a mere pittance. Anger, indignation and bitterness engendered is not only immeasurable, but has endured down to this day.

Descendants of these people, and in fact, much of the entire Hispano population of the entire area, still regard such lands as illegally taken. In recent years, the West has witnessed a movement aimed at restoring these properties to descendants of original owners. Some violence has attended these activities as outside influences have entered the scene, seeking to exploit still festering resentment. Attempts to encourage extralegal activities have fortunately met with almost universal failure. But this does not eliminate the very real evils and consequences of the original illegal system.

I want to say this by way of clarification, Mr. Chairman, that I am not implying that the Federal Government perpetrated this injustice. I am not saying the present owners or their predecessors in title had anything to do with it. But initial transfers were caused and engendered in the kind of atmosphere I have related.

The Forest Service has sought, over the years, to allow small Hispano landowners and livestock raisers to utilize federally owned lands for livestock at reasonable rental fees. The Forest Service has done a tremendous job in trying to right these injustices. Our Federal Government has helped, but much more needs to be done. Acquisition of the Vermejo property by our Government would go a long way toward achieving this goal. Many people residing on the periphery of this fine ranch would utilize it under supervision of the Forest Service and would utilize it to good advantage and to the credit of our Government and Nation. Vast acreages presently closed to these people would be partially opened to them for such use. By itself, this would be reason enough for Federal acquisition of the property, but there are many more assets we must be aware of and take into consideration. This is one of the rich treasures we have in New Mexico, and it is now available to the Federal Government. I would like for the committee to consider the following. The ranch is owned by an estate; that of Mr. Gourley. A large inheritance tax is to be assessed against this estate and particular holding. If the Federal Government would purchase it, the taxpayers would not be out too much money. Yet the treasure would be enormous for future generations and I sincerely hope we do not let this opportunity go by.

We have an endorsement here to be presented by Mr. Elliott Parker, representing many conservation and environmental protection organizations in our State and sportsmen's organizations as well. Mr. Elliott Parker has no peer in the field of conservation. He was chief game warden of New Mexico for many years. Under his leadership we developed game reserves in our State and a game population we possess not only on this particular ranch, but throughout New Mexico. He will testify before this committee. His authoritative explanation and espousal of this particular sale, I assure you, will be from his heart; based on a lifetime of dedication to the cause of conservation.

Mr. White is also here today. He appeared in the House of Representatives where this bill was also pending. I understand Mr. White has reservations about the bill because it provides for purchase by different methods, among which is through exchange. Mr. White fears approximately 8,000 acres lying in the Fort Bliss area might be taken by the Federal Government in order to effectuate this kind of exchange.

I personally have no objection to this committee allaying the fears of Mr. White by having language in the report that no exchange shall contemplate or encompass use of surplus acreage the Federal Government owns in the El Paso area. I think that should clarify the objection and remove it. But I would urge against this committee eliminating the word "exchange," because this a fine vehicle the Federal Government has utilized in purchase of land heretofore. I think we can utilize it in this instance without having to resort to the El Paso or Fort Bliss acreage about Congressman White expresses concern.

That sums up my statement, Mr. Chairman. Except to say that on the basis of total acreage and price being talked about, the cost per acre would be about \$55, not counting cost of improvements, which are tremendous. Counting improvements and fencing, and not counting mineral deposits, cost of the ranch would be about \$35 an acre. It is a fine deal for the Federal Government and certainly an excellent deal for the people of New Mexico who would use it also for the people of our country, sportsmen who would utilize this vast area, which is a habitat for game fish and fowl.

Thank you very much, Mr. Chairman.

(Senator Montoya's prepared statement is as follows:)

Mr. Chairman and distinguished members of the committee,

I sincerely appreciate the opportunity to appear before you today in support of S. 2699.

This bill was introduced by the distinguished senior Senator from New Mexico, Clinton P. Anderson, and was co-sponsored by Senator Bentsen and myself. Briefly, S. 2699 provides for acquisition by the Forest Service of Vermejo Park.

Vermejo Park is a magnificent tract of land consisting of 480,000 acres located on the New Mexico-Colorado border. Approximately 400,000 acres of it lies in Colfax County, New Mexico, east of the Sangre de Cristo Divide; 80,000 acres lie west of the divide in Taos County; and 4,000 acres are in Costilla County, Colorado.

History of Vermejo Park dates back to 1841, year in which the Mexican Government made the Baubien-Miranda land grant. The Treaty of Guadalupe Hidalgo honored this grant, whose boundaries were confirmed by the United States Supreme Court in 1887. This was better known as the Maxwell land grant, since it was owned by Lucien Maxwell.

Now is the time for the Federal Government to start righting past wrongs and redress grievances caused by injustices more than a century old. These evils were perpetrated by land grabbers who flocked to New Mexico after the Mexican war, with court appointments in their pockets. They came to our state in hordes, determined to make a shambles of the property rights of the original settlers of our state, almost all of whom were Hispanos.

Federal acquisition of the Vermejo property would be a long step in the direction of eliminating residual bitterness surrounding these and other old land grants.

Much of the Vermejo land was once the property of land grant owners. All these people were Hispanos. They regarded these acres as their own, residing upon and utilizing these areas until the end of the U.S. war with Mexico. Here was the opportunity the land grabbers had long sought. The lands they coveted were open to exploitation.

With U.S. acquisition, a new system of laws, courts and jurisprudence was superimposed upon the old colonial Spanish-Mexican way of life. The original settlers were relatively helpless.

Lawyers from the east descended upon the newly acquired territory of New Mexico, intent upon building personal fortunes. They formed a cabal known to historians as the Santa Fe ring. Operating from Santa Fe and the state capitol, they utilized Anglo-Saxon Law to deprive native hispanos of rights to vast acreages, including most of the Vermejo properties. A dark, ignoble page was written in American history because of such activities. Spanish people with little

knowledge of English and less understanding of American law were taken advantage of in a variety of ways. Documents were forged. People were intimidated. Battles raged in the courts. Shootings were common. Many people died, most of them hispanos. When the conflict at last terminated, enormous land holdings had been switched from the hands of hispanos to anglo owners, often for a mere pittance. Anger, indignation and bitterness engendered is not only immeasurable, but has endured down to this day.

Descendants of these people, and in fact much of the entire hispano population of the entire area, still regard these lands as illegally taken. In recent years, the west has witnessed a movement aimed at restoring these properties to descendants of original owners. Some violence has attended these activities as outside influences have entered the scene, seeking to exploit still festering resentment. Attempts to encourage extralegal activities have fortunately met with almost universal failure. But this does not eliminate the very real evils and consequences of the original illegal system.

The forest service has sought, over the years, to allow small hispano land-owners and livestock raisers to utilize federally-owned lands for their livestock at reasonable rental fees. Acquisition of the Vermejo property by our national government would go a long way towards achieving this goal. A vast acreage, presently closed to these people, would be partially opened to them for such use. By itself, this would be reason enough for federal acquisition of the property.

Establishment of Vermejo Park as a cattle ranch, hunting and fishing facility was begun by William Bartlett in 1906. Development of Vermejo Park, however, thrived after William Gourley came on the scene in 1945. Mr. Gourley, by several purchases, amassed a total of 480,000 acres, present size of the ranch. Hunting and fishing, however, were highly commercialized ventures under both the Bartlett and Gourley ownerships, the public being deprived of use unless exorbitant fees were paid.

Mr. Gourley passed away in 1970. The heirs of his estate have seen fit to place the ranch up for sales, presenting this opportunity to our Government.

One does not have to see this country to appreciate its beauty. One only has to imagine a scenic mountain area dotted with many springs, rivers, lakes and ponds. Valleys, forests, grazing lands and woods characterize lowlands of the ranch.

There is a variety of animal life unsurpassed in our country. An abundance of elk, deer and bear can be found, along with a large variety of smaller game, including beaver, rabbit, badger, duck, and fox.

Fishing facilities are beautiful and exciting. It is estimated that over a hundred miles of trout streams and approximately sixty lakes are available for fishing.

Mr. Chairman, New Mexico attracts a substantial number of out-of-State sportsmen. Outdoor sports enthusiasts and environmentalists from all over the United States have contacted my office to urge support for this bill.

Aside from scenic beauty, animal life and hunting and fishing facilities, Vermejo Park is blessed with an abundance of other natural resources.

Timber, coal, oil and gas and extensive grazing areas are but a few resources found in Vermejo Park. As many as 19,000 head of cattle have been grazed on this land at one time, although only about 10,000 quality cattle graze there today. The now famous 60,000 acre W. S. ranch comprises part of the total acreage.

Vermejo ranch qualifies as a mecca for environmentalists, sportsmen, and outdoor enthusiasts who truly appreciate the majesty of this land.

Terms of purchase are relatively simple, and I believe quite fair. Purchase price of the ranch is twenty-six million five hundred thousand dollars (\$26,500,000) net of any brokerage commissions. Costs of closing will be apportioned between buyer and seller according to standard practice in New Mexico. Taxes will be prorated as of date of closing. (Taxes on the property are less than \$60,000 per year.) Price includes all equipment presently in use for ranch operations, but does not include livestock. Present owners will reserve a 50% royalty interest in minerals with executive rights as to minerals passing to the purchaser.

Therefore, price of the ranch may be calculated at \$55 per acre. However, when one considers extensive improvements on the ranch such as buildings, fencing, roads, equipment and furnishings, acreage price of the raw land is more accurately fixed in the range between \$25 and \$35 per acre.

While twenty-six million five hundred thousand is a substantial figure, Mr. Chairman, one only need consider many advantages of government ownership and alternatives should government not purchase.

Ownership by government and regulation by the forest service would ensure management designed to protect scenic beauty, fish and animal life and other natural resources I have described. Scenic beauty would for the first time be open for tourists to enjoy. Hunting and fishing facilities would be made available to the local inhabitants who will no longer have to pay exorbitant fees to enjoy this privilege. Out-of-state sportsmen would be attracted in even greater numbers than today.

Grazing land would be equitably apportioned among many local cattlemen. In effect, Mr. Chairman, purchase by government would ensure protection of the park's resources while still allowing some public access to the park and its resources.

I am apprehensive at the thought of what will happen to this beautiful land should government not purchase Vermejo Park.

Commercial interests would move in. What would follow is obvious. There would occur ravaging of natural resources which would surely desecrate the majesty of this gorgeous land. Fish and animal life would be at the mercy of people with no concern for preservation or conservation.

Mr. Chairman, I sincerely hope this committee and Congress will strike a blow for conservation and the environment by not letting this opportunity pass by.

Thank you, Mr. Chairman.

Senator JORDAN. What game is located in this area?

Senator MONTOYA. We have buffalo, deer, bear, fox, duck, and, of course, fishing. We have beautiful streams.

Senator JORDAN. Wild turkey?

Senator MONTOYA. Yes.

Senator JORDAN. Any panda bears?

Senator MONTOYA. No; I do not think so. I wish we did. And elk, of course, and deer.

Senator ANDERSON. We have received a petition signed by over 700 people all expressing a desire to have this sportsmen's paradise become a national forest. Many years ago Harry Chandler of the Los Angeles Times and a group bought this acreage and they owned it for a long time. You had to pay several thousand dollars for membership fees. That was all right until the depression hit. When that hit there were changes. I, therefore, strongly urge that we take this land to make use of it as a sportsman's paradise again and I would like to give you the petition for the committee files.

Senator JORDAN. We will include a sample petition in the report. (The petition is as follows:)

THE HONORABLE SENATOR CLINTON P. ANDERSON:

We, the undersigned citizens of the state of New Mexico, petition our representatives to use their influence and energy to encourage the federal government to purchase the W-S Ranch (Vermejo Park). This is an excellent national park site. Private ownership with the intent to subdivide should be out of the question. We would appreciate your immediate attention concerning this beautiful section of New Mexico.

(NOTE. The above petition was signed by approximately 700 persons.)

Senator ANDERSON. I merely want to say that we have great many people that are interested in this. That is all.

Mr. CLAUDE E. WOOD (administrative assistant to Senator Anderson). In the Senator's statement he has suggested an amendment because in the House a question was raised by some people from the Internal Revenue about taxes on this estate. The Senator's statement says:

During private discussions of the bill which I introduced, a representative of the Bureau of Internal Revenue indicated that in the settlement of the Gourley estate, there will likely be considerable tax due the Government. I would not want any transfer to the Government, to, in any way, relieve the Gourley estate from payment of any just tax or other debt to the Government. Therefore, I recommend that the following language be inserted at the appropriate place in the bill:

Notwithstanding any other provision of this act, all transfers and acquisitions authorized herein shall be taxable under the provisions of the Internal Revenue Code of 1954 in the same manner and to the same extent as if the lands, waters and other interests were transferred to a taxpaying individual or corporation.

Senator JORDAN. Senator Montoya, are you in agreement with that?

Senator MONTOYA. Yes; I am.

Senator JORDAN. Thank you.

Senator ANDERSON. Many people made use of this for game. There have been some very great experiences in the history of this estate. Many years ago I testified on the oil transaction involving many thousands of acres in that part of the world. The situation has changed completely and the Forest Service does a fine job because we have had opportunities to do this thing improperly and very properly. I have tried to find out what the original interest was. I think the first offer was \$8 million, the second round some \$14 or \$15 million, and finally, there was an offer of very substantial sums of money. We trust these people who are here today will find out what can be done without damage to the property and without damage to the people who hold the property.

Senator JORDAN. Senator Montoya, do you have anything further?

Senator MONTOYA. Nothing further, Mr. Chairman.

Senator JORDAN. Mr. White, we are glad to have you with us and you may proceed as you wish.

STATEMENT OF HON. RICHARD C. WHITE, REPRESENTATIVE IN CONGRESS FROM THE 16TH CONGRESSIONAL DISTRICT OF TEXAS

Mr. WHITE. Thank you, Mr. Chairman. At the outset may I ask that my statement be included in the record as a whole?

Senator JORDAN. Yes, indeed.

Mr. WHITE. And I will speak off the cuff, if I may.

Senator, I appreciate the opportunity to come to talk to you and the members of the committee today. The people of El Paso are very delighted that New Mexico desires taking an active role in preserving the beauty of their State. They have one of the most beautiful States in the country. There is a great affinity of the people of El Paso and the people of New Mexico; we have the highest regard for their Senators. Senator Anderson has really made New Mexico. He is an institution there. We have great esteem for him and Senator Montoya is following in the same style. The main purpose for which I am here today before you is to urge that the Castner land in El Paso County, which is under consideration for declaration to be surplus, not be used in some manner for exchange. Just as Senator Montoya spoke, and I am delighted to hear Senator Montoya utter the words he did and make a suggestion for wording which I think would be quite satisfactory. In fact, it is more along the lines of the wording I suggested in the

House Agriculture Committee where I appeared. They adopted a slightly different wording but did strike out the word "exchange." I would urge either what the House committee did or what Senator Montoya suggested. There was a quotation from Senator Anderson in the El Paso newspaper on this same vein that pleased the people of El Paso. Senator Anderson and Senator Montoya understand the needs and desires and the future growth of El Paso.

We learned shortly after the Army had stated they wanted to declare this land surplus that the Forest Service had made a request of the GSA for the use of the land for exchange purposes for Vermejo. While we were pleased to hear about the Vermejo we were dismayed this land that had been under consideration so long for planning purposes, for development as a wilderness and other purposes of the city, was under this hazard.

Senator JORDAN. How close is this to El Paso?

Mr. WHITE. El Paso is quite unique in relation to most cities. The city is a horseshoe about the mountain and it is right on the edge of the city. In fact, the city has grown about this area. I have a map here that would demonstrate more graphically, if you would like to see it now.

From Vermejo I would judge it would be 300, 400 miles, sir. I am informed by the Senator. It is some distance away. So it has no relationship in terms of the project under consideration.

Senator ANDERSON. This project spread out. There are different sizes of borders, it does not include the land of El Paso.

Mr. WHITE. That is correct. Reaching back to about 1954 the people of El Paso have been planning, actively planning a wilderness area here in this very place. Of course, there are 22,000 acres under consideration for this wilderness park and all but Castner have been accounted for in making this wilderness area. The State legislature has acted, various private interests have conveyed or made some arrangement, so all that is left is Castner. Castner itself is the most scenic, most beautiful part of the area, it is speaking orientalwise, the jewel in the lotus. It is the éntre into the highest peak; it has a great vista of grassland and natural flora and I think it is magnificent. It is an expanse that almost would do credit to some of New Mexico because New Mexico has great expanses like this.

The people of El Paso are quite proud of it. When we heard of the disposal and it was before the Real Estate Committee of the House I requested the constitution of an ad hoc committee that has been working quite diligently over the past few months and have developed a master plan for the orderly disposition of the Castner ranch. They have included all political subdivisions including the city of El Paso and they have worked closely together in finally producing a result that takes into account the proper area for the wilderness, and proper area for local city development. As I say, it impinges right on the city. The Castner range has impeded the growth of the city for a number of years and now we have unplugged it, but at the moment we are unplugging it, we find there is a danger of it being exchanged off into another State and, therefore, we would lose control of what we regard as necessary for the orderly utility of this land. Therefore, I would hope the committee would consider language such as Senator Montoya

has suggested or language such as the House has indicated, or whatever other proper language could be used, to obviate any danger of the Castner land being included in this exchange.

Senator JORDAN. You just do not want that included in this area?

Mr. WHITE. In this exchange. The Forest Service had in mind transferring Castner to private interests who had acquired Vermejo Park and then exchanging it for Castner. It would be an exchange and that would mean people outside of the city, not within the control of this overall unanimous agreement would have control and disposition of Castner. We think it would destroy what we have worked for almost 20 years, sir.

Senator JORDAN. Thank you very much.

Senator Montoya, do you have any questions, you or Senator Anderson? You understand exactly what he is talking about.

Senator MONTOYA. Yes.

Senator JORDAN. We are glad to have your testimony.

Mr. WHITE. We have a copy for you.

Senator JORDAN. Thank you very much.

Senator MONTOYA. Thank you, Mr. Chairman.

We have a map of the land which we would submit to the committee for its use.

Senator JORDAN. If we keep this we will see that it is returned to you. There will be no problem about that. We will put this in the file so it will not get lost.

Senator MONTOYA. Thank you.

Senator JORDAN. Thank you, Mr. White.

Mr. WHITE. Thank you, Mr. Chairman.

(Mr. White's prepared statement is as follows:)

Mr. Chairman and members of the committee, I am Richard C. White, representing the 16th District of Texas. The Army's huge Castner Range property which has been suggested at various times by various entities as trading material to private interests for the Vermejo Ranch properties in New Mexico, is in my district. Further, it is immediately contiguous to the northeast city limits of El Paso, the largest city in my district.

I want to urge the committee to insure in the provisions of S. 2699 that the Castner property in El Paso be excluded from being available as trading material for the Vermejo Ranch in northern New Mexico, and for these reasons: the city of El Paso has a unique geographic conformation in that it wraps horseshoe-fashion around the tail end of the Franklin Mountains. Probably no other metropolitan area in the country has a remote mountain wilderness jutting into its very heart. Recognizing this unique situation, various citizen groups started mapping plans in 1954 to preserve the entire Mt. Franklin area within the city and extending north to the New Mexico border some ten miles as a wilderness park. The citizen groups were later joined enthusiastically by the city and county governments of El Paso, and eventually by the State of Texas in supporting the Mt. Franklin Wilderness Park concept. A complete and elaborate master plan study for the park has been completed, and I will submit a copy of this master plan to the committee along with my remarks.

Basically, the plan includes 22,000 acres, and a substantial majority of this acreage has already been dedicated to the park. The State of Texas passed special legislation to provide eight State-owned sections to the park. An additional total of nine sections owned by the Public Service Board of El Paso has been cleared for park usage, and the County of El Paso has cleared nearly five sections under its control for the park. One privately-owned section has been purchased by the city for \$162,000, and other privately owned land within the proposed boundaries is all within an estate which has indicated a willingness to cooperate

in the eventual realization of the Mt. Franklin Wilderness Park. This leaves only the Castner Range property which contains some of the most spectacular and scenic areas within the entire park boundaries.

I should point out that when the park was being planned, all indications were that some day Castner Range would be declared surplus, and so the plans included most of its extremely scenic confines. In fact, the park architect, plus all of the planning bodies and the political subdivisions involved in its development are legion in their agreement that exclusion of the Castner Range would, for all intents and purposes, completely destroy the entire concept and planning for the proposed Mt. Franklin Wilderness Park. Soon after the Castner Range was declared surplus, a rash of speculation arose concerning its disposition. I formed an ad hoc committee composed of El Paso civic leaders and representatives of local public bodies and asked them to develop a master plan for public usage of the Castner Range property. That plan was submitted to me late last week, and it asks that over two-thirds of this parcel of more than 8,200 acres be included in the Mt. Franklin Wilderness Park.

I think we can all readily understand that should the Castner go to private interests by way of a trade for the Vermejo Ranch, the State of Texas, the County of El Paso, and the city of El Paso can forget their well advanced planning for a regional wilderness park which would be there for the benefit of not only the residents of the immediate Southwest, but to the thousands upon thousands of visitors to the area each year. Based on these facts, I again respectfully ask the committee to preclude any possibility of the Castner Range falling into private hands.

I would point out that provisions to prohibit the trade of Castner range were included in H.R. 11182, a bill to allow the acquisition of the Vermejo for park purposes, following my testimony before the House Committee on Agriculture. I fully appreciate the eagerness of the various representatives of New Mexico in wanting to develop their own park potential, but I hardly think they would want to accomplish their aims at the expense of destroying the unique Mt. Franklin Wilderness Park in El Paso which is now on the verge of reality after many years of dedicated work on the part of local, county, and State planners in Texas. . . . I respectfully thank the committee for this opportunity today.

Senator JORDAN. Mr. McGuire, Associate Chief of the Forest Service, U.S. Department of Agriculture. We are glad to have you with us and you may proceed as you wish, Mr. McGuire.

STATEMENT OF JOHN R. McGUIRE, ASSOCIATE CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. McGUIRE. Thank you, Mr. Chairman, Senator Anderson.

We appreciate this opportunity to present the views of the Department of Agriculture on legislation relating to the Vermejo Ranch.

S. 2699 would authorize the Secretary of Agriculture to acquire the 480,000-acre area known as the Vermejo Ranch, which lies in the Sangre de Cristo Mountains, largely in northeastern New Mexico. The major portion of the ranch, about 400,000 acres, lies in the Maxwell land grant, which was granted by the Governor of Mexico and confirmed by the U.S. Supreme Court in 1887. The remaining 80,000 acres of the ranch lie in the Sangre de Cristo Grant. The ranch properties are contiguous to the northeastern portion of the Carson National Forest in New Mexico.

Senator JORDAN. Do they join?

Mr. McGUIRE. They join; and the map there shows where they join. The green on the map is the Carson Forest. Vermejo Ranch touches it at the northeast corner.

Senator JORDAN. I see.

Mr. McGUIRE. The ranch properties are highly scenic and contain substantial natural resource values. We estimate the asking price for the property to be approximately \$26.5 million, which averages \$55 per acre.

A principal source for the acquisition of the Vermejo Ranch would be the Land and Water Conservation Fund. The monies available from the fund for Federal land acquisition purposes have been allocated to other projects. Relative to the proposed Vermejo Ranch purchases, other pending acquisition projects would generally serve a greater number of people who have fewer opportunities for wildland recreation. The priorities we have already placed on other recreation acquisition projects preclude the allocation of funds to the proposed Vermejo purchase. Also, there is no assurance that other means of acquisition as contemplated by the bill could be utilized to meet the estimated asking price.

For these reasons, we recommend that S. 2699 not be enacted.

I will be glad to try to answer any questions you may have.

Thank you.

Senator JORDAN. Mr. McGuire, I have several questions. I understand that the grazing resources for the 10,000 cattle are now enjoyed by rich corporations; is that correct?

Mr. McGUIRE. Yes, sir; they are enjoyed by the owners of the ranch, the W. S. Ranch Corp., solely. This is the owner of the property.

Senator ANDERSON. It is all a piece of the ranch property. I did not want you to think we have two different pieces of land.

Senator JORDAN. Well, the people who own the ranch are the people who own the cattle, is that correct?

Mr. McGUIRE. That is correct.

Senator JORDAN. In the event the Forest Service acquires the property would it be continued that way?

Mr. McGUIRE. If this property were acquired by the United States we would begin by making a detailed inventory and analysis of the range resources and we would determine the capacity of the range, taking into account the rapidly expanding elk and deer herds. Now, the ranch has been stocked with up to 10,000 head of cattle but in order to maintain the present wildlife populations we would estimate, and this would depend on our studies, that it could be stocked with a 4,000 to 5,000 head level after acquisition. So we would reduce the number of livestock, we believe, if this land were acquired by the United States.

Senator JORDAN. That you think, would be necessary in order that your deer and elk and so forth would have grazing land sufficient to support the increased population of game?

Mr. McGUIRE. Yes, sir.

Senator JORDAN. That would be the reason for that?

Mr. McGUIRE. It would be necessary to balance those two uses of the land, wildlife on the one hand and livestock on the other.

Senator JORDAN. Would the Forest Service follow its standard policy of issuing permits to local qualified small operators who need the range?

Mr. McGUIRE. Yes, sir; we would. We have some small operators now who graze on the Carson Forest and on the Sante Fe Forest and

their allotments are overstocked. We would offer them an opportunity to move some of their stock to this area. Then we would make additional capacity available to other operators in the vicinity according to our present policy. Many of these would be rather small ranchers. The average number of cattle, for example, permitted on these forests in northern New Mexico is only 22 head and we would encourage these small operators to get together and form an association, perhaps try to organize a more efficient livestock unit.

Senator JORDAN. That would then benefit about 150 or 200 small operators who would need more range?

Mr. McGUIRE. Something in that order; yes, sir.

Senator JORDAN. Could you also relieve some critical heavy grazing use situation on the Carson and Sante Fe National Forest and Pecos Wilderness Area?

Mr. McGUIRE. Yes; that would be our intention.

Senator JORDAN. You would relieve some of that heavy grazing in there.

Mr. McGUIRE. Yes; we would if we acquire this property.

Senator JORDAN. Would that result in benefit both to the local operators and conservation of the forest grazing situation?

Mr. McGUIRE. Indeed, it would. It would reduce the overstocking in some areas and would spread out the livestock use of a larger area.

Senator JORDAN. As to hunting and fishing, if the Forest Service acquires the area, the public, not just the rich few, would participate under the careful management, would it not?

Mr. McGUIRE. Yes; it would. There is a sizable wildlife population here. At present, for example, there are only about 1,000 fishermen that can get into this area. If we were to open this area to the public why it would be available to perhaps 50,000 fishermen annually.

Senator JORDAN. Are these lakes in there?

Mr. McGUIRE. There are more cold water fishing opportunities, lakes, and streams in this area than in all of the rest of the national forests in New Mexico combined, perhaps four times as much surface water area for fishing.

Senator JORDAN. Are there access roads into where people could get in?

Mr. McGUIRE. Yes; the road system is pretty good. I think there are 200 to 300 miles of road that is in fairly good shape so that one could drive on them with an ordinary automobile. And there is some additional mileage that can be traversed by pickup trucks with four-wheel drive.

Senator JORDAN. As to the use of other recreation resources, camping, picnicking, sightseeing and horseback riding, hiking, many more people would be able to enjoy these resources; would that not be true?

Mr. McGUIRE. That is correct. We estimate that if the Government acquired this there would be perhaps 170,000 visitor days as soon as it were opened up annually, and by the year 2000 this might approach 700,000 visitor days public use for recreation.

Senator JORDAN. Thank you very much.

Senator Anderson, do you have any questions, anything you would like to add to his statement?

Senator ANDERSON. I am trying to get over here a copy of the book on these land titles. The Forest Service has been managed well, the

administration of Carson Forest. I know of no great objection to them at any time. I think they are a fine group of people in this area and I would be very happy for the Forest Service to be there.

Mr. McGUIRE. Thank you, sir.

Senator JORDAN. Thank you, sir.

Thank you very much, Mr. McGuire. I appreciate your testimony.

Mr. McGUIRE. Thank you, sir.

Senator JORDAN. Mr. Elliott Barker, Santa Fe, N. Mex. We are glad to have you with us.

Senator ANDERSON. Ask him how old he is.

Senator JORDAN. He is a young man. I can look at him and tell. Sit down.

STATEMENT OF ELLIOTT S. BARKER, CHAIRMAN, VERMEJO PARK ACQUISITION COMMITTEE, NEW MEXICO WILDLIFE AND CONSERVATION ASSOCIATION, SANTA FE, N. MEX.

Mr. BARKER. Mr. Chairman, Senator Anderson, I appreciate very much the opportunity accorded me to testify here today for myself and many others in behalf of S. 2699, which provides for the acquisition of the fabulous, privately owned empire known as Vermejo Park, or ranch. The scores of organizations, agencies, and individuals, headed by the Governor and ex-Governor of New Mexico, named on attached list, who authorized me to testify for them, is indicative of the popular approval of the provisions of S. 2699.

Senator JORDAN. That will be included with your testimony.

(The list follows:)

LIST OF INDIVIDUALS, AGENCIES AND ORGANIZATIONS FAVORING THE ACQUISITION OF VERMEJO PARK BY THE U.S. FOREST SERVICE AND AUTHORIZING ELLIOTT S. BARKER TO TESTIFY FOR THEM AT THE FORESTS SUBCOMMITTEE OF THE HOUSE AGRICULTURE COMMITTEE HEARING ON H.R. 11182, NOVEMBER 11, 1971.

Hon. Bruce King, Governor of New Mexico.

Hon. David F. Cargo, Ex-Governor of New Mexico.

The New Mexico Wildlife and Conservation Association, Inc. and all of its twenty-five affiliate Chapters.

The New Mexico Department of Game and Fish.

Los Alamos Chapter, Izaak Walton League of America. (New Mexico).

The New Mexico Rifle and pistol Association, Inc.

The Rio Grande Chapter of the Soil Conservation Society of America.

Sportsmen's Legislative Action Committee, Albuquerque, N.M.

New Mexico Ornithological Society.

The New Mexico Chapter of the Wildlife Society.

The Central Clearing House, Santa Fe, N.M.

Northern Rio Grande Resource Conservation and Development Project.

Sandia Crest Bow Hunters Association, Albuquerque, N.M.

Zero Population Growth Chapters, Santa Fe, N.M.

Santa Fe Chamber of Commerce, Santa Fe, N.M.

The Black Mesa Defense, Santa Fe, New Mexico.

The Cavern City Bowmen, Carlsbad, N.M.

The Carlsbad Section, American Institute of Mining and Metallurgical Engineers, Carlsbad, N.M.

The evening Lions Club, Carlsbad, New Mexico.

The Carlsbad Sportsmen's Club, Carlsbad, New Mexico.

Adelante Resource Conservation and Development Project, Las Vegas, New Mexico.

Otero County, Wildlife and Conservation Association, Alamogordo, N.M.

Santa Fe Wildlife and Conservation Association, Santa Fe, N.M.

Albuquerque Wildlife and Conservation Association, Albuquerque, N.M.

Oklahoma Wildlife Federation, Norman, Oklahoma.
 Arkansas Valley Conservation Council, Pueblo, Colorado.
 ISSUE Interested in Saving Southern Utah's Environment, Cedar City, Utah.
 County Commissioners, Taos County, Taos, New Mexico.
 Rio Grande Chapter The Sierra Club, Albuquerque, New Mexico.
 Santa Fe Women's Club, Santa Fe, New Mexico.
 Oklahoma Group of Sierra Club, Oklahoma City, Oklahoma.
 Taos County Livestock Producers Cooperative Association, Taos, N.M.
 Pecos Valley Fish Growers, Roswell, New Mexico.
 Arizona Wildlife Federation, Tucson, Arizona.
 Tucson Wildlife Unlimited, Tucson, Arizona.
 N.M. Chapter Izaak Walton League, Albuquerque, N.M.
 Albuquerque Urban Progress, Albuquerque, N.M.
 New Mexico Horse Council, Albuquerque, New Mexico.
 New Mexico Mountain Club, Albuquerque, N.M.
 New Mexico Outdoor Writers Association, Albuquerque, N.M.
 Coronado Kiwanis Club, Santa Fe, New Mexico.
 National Speleological Association, Albuquerque, New Mexico.
 Professional guides and outfitters Association of New Mexico, Albuquerque.
 Southwest New Mexico Audubon Society, Silver City, New Mexico.
 Rio Grande Chapter Trout Unlimited, Albuquerque, New Mexico.
 Zero Population Growth, Albuquerque, New Mexico.
 Roswell Chapter, of the American Association of retired Persons, Roswell,
 New Mexico.
 Rio Costilla Livestock Corporate Association, Costilla, N.M.
 Los Alamos Sportsmen's Club, Inc. Los Alamos, New Mexico.
 New Mexico—Arizona Chapter Wildlife Society, Albuquerque, N.M.
 New Mexico Society of Professional Engineers, Santa Fe—Los Alamos Chapter
 Santa Fe, N.M.

Mr. BARKER. The original of the letters authorizing me to testify are filed with the House committee before whom I testified except for two, which I will give you the original now to verify two more who have been added.

Senator JORDAN. They will be included also.
 (The letters referred to follow :)

NEW MEXICO SOCIETY OF PROFESSIONAL ENGINEERS,
 SANTA FE-LOS ALAMOS CHAPTER,
 Santa Fe, N. Mex., February 24, 1972.

To whom it may concern:

We authorize Elliott S. Barker to testify for the Santa Fe-Los Alamos Chapter of the New Mexico Society of Professional Engineers in behalf of Senate Bill 2699 for acquisition of Vermejo Park or Ranch.

Sincerely,

BRUCE KIDMAN,
 Chapter president.

LOS ALAMOS SPORTSMEN'S CLUB, INC.
 Los Alamos, N. Mex., November 8, 1971.

Mr. ELLIOTT BARKER,
 New Mexico Wildlife and Conservation Association,
 Santa Fe, N. Mex.

DEAR ELLIOTT: This is to notify you that the Board of the Los Alamos Sportsmen's Club voted to have the New Mexico Wildlife and Conservation Association represent the Club in the upcoming Congressional and Senate Hearings concerning the status of Vermejo Park. This action was taken at the November Board meeting of the L.A.S.C.

If we can be of further help please let us know.

Very truly yours,

JOHN BARNER, *Secretary.*

Mr. BARKER. I would also like to offer here for the record, an article which appeared in the December 25 National Observer on Vermejo Park, which is a very illuminating statement.

I would also like to present here a copy of the memorial of the New Mexico State Senate, which has just adjourned asking favorable consideration to the Forest Service acquiring the Vermejo Park property.

Senator JORDAN. That will be made part of the record also.
(The documents follow:)

[From the National Observer, Dec. 25, 1971]

FOR SALE—750 MILES OF MAJESTIC RANCLAND; TERMS—STRICTLY CASH

(By John Peterson, from Vermejo Ranch, N.M.)

This ranch possesses the best of everything—prime grasslands, timber, dozens of high-mountain lakes, more than a hundred miles of trout streams, mineral deposits, the state's largest game herds of elk and deer, and perhaps, the plushest villa in the West, a reminder of its romantic history.

For nearly a year it has been on the block—all 480,000 or 750-square miles of it. But it is so vast, so magnificent, and so expensive that no one can afford it. "People ask why I haven't snatched her up," says one of New Mexico's wealthiest ranchers. "I tell them I'd love nothing more. The price seems right, but I can't find that kind of money. The stipulation is cash—no terms, no deals, no nothing. That's right, \$26,500,000 in cold, hard cash."

The absence of a buyer only increases the interest—and pressure. The stakes jumped immeasurably in October when Uncle Sam joined the scramble, and now some state officials would like New Mexico to try to raise the money. Some extremely wealthy men have already visited or sent representatives here; actor John Wayne; oilman H. L. Hunt; Walter Annenberg, the publishing czar who is ambassador to Great Britain; Robert O. Anderson, president of the Atlantic-Richfield Co.; Robert Kleberg of the King Ranch; Malcomb Forbes of Forbes Magazine; and Charlie Crowder, a local investment financier, to name but a few. Too, large corporations such as Pennzoil, Du Pont, and Japan's Mitsuishi have looked the ranch over closely.

"The first man to meet our terms will buy the ranch," says Richard U. Simon, the Fort Worth lawyer handling the sale. "We've told the Forest Service and members of Congress all along that we will not wait to see if they finally decide to buy it. Right now we have half-a-dozen private groups seriously negotiating for its purchase."

The situation is intriguing. Ordinarily people rush to oppose the Federal Government's purchase of more land in this state, where more than 40 per cent is already publicly owned. But in the past weeks Gov. Bruce King, the state's congressional delegation, conservation and groups, local county commissioners, and several livestock associations have begun pushing for the Federal Government's acquisition. It's a new twist on the traditional, growing debate over how land is to be used, preserved, or exploited. The overriding factor this time, however, is that the Vermejo Ranch is the state's most valuable and alluring tract.

"Few people have heard about the Vermejo Ranch because it has always been locked up tighter than a drum," says U.S. Rep. Manuel Lujan, Jr., whose constituency includes the sprawling ranch. "But it offers too much for too many people to remain the preserve of one individual—or to become the dream of a superdeveloper. We'd like to see the Forest Service obtain the land because, with its multiple-use management, the land could benefit a great many people."

OPPOSITION TO FEDERAL TAKE-OVER

The congressman sees some of northern New Mexico's poor Mexican-Americans forming grazing associations to run cattle on the land, tens of thousands of fishermen, hunters, and other outdoorsmen enjoying its far reaches, and timber and mining operations continuing—but under Federal controls.

There is opposition to the Federal take-over. While the livestock associations, which represent the small operator, favor the acquisition, the New Mexico Cattleman's Association does not. "The price is clearly out of line," says one rancher. "If \$55 an acre were equitable, the ranch would have been sold. It isn't, however. The price per acre should be between \$35 and \$40 an acre. Here we have a situation where our Federal Government is in a great economy drive while Congress merely accepts this inflated price as just (the \$55 figure is part of Federal legislation not yet passed). I think we taxpayers deserve better." Too, cattlemen, such as

William Gallagher, chairman of the Colfax County Commission, decry the erosion of the county's tax base that would follow public purchase.

The ranch was the heart of the famed Maxwell Land Grant, a 1,714,765-acre tract dished out to individuals by the Mexican governor in 1841. The U.S. Supreme Court upheld the grant in 1887. About 1900, William A. Bartlett, the only man ever to corner the wheat market on the Chicago Exchange, bought the 200,000-acre Vermejo Park area.

In 1904 he began construction on three rambling, plush houses. One was for his son, another would accommodate guests in some 30 bedrooms, and the other was his Casa Grande, which is now beautifully kept and valued at \$3,000,000. It's an elaborate, ornate villa with no dining room but a 100-by-45-foot living room and a 50-foot-high cathedral ceiling. The huge burnt-orange granite blocks for the houses had been brought by wagon over 20 miles of mountain trails from a railroad spur.

A group of wealthy businessmen, headed by Harry Chandler of the Los Angeles Times-Mirror Co., bought the ranch in 1926. There were 96 of them, and each pitched in \$5,000 to form the Vermejo Club, a gentlemen's hunting and fishing retreat. Its members counted Cecil B. DeMille, Thomas W. Warner, Andrew Mellon, Harvey Firestone, Herbert Hoover, Douglas Fairbanks, F. W. Kellogg, and Chandler. The club died a sputtering death in the Depression and the Chandler family took over the spread.

Finally, in 1948, W. J. Gourley of Fort Worth bought the 200,000-acre Vermejo Ranch. He had already purchased, starting in 1945, another 280,000 acres; he lumped them together. He died on Aug. 9, 1970, and his heirs decided to sell the ranch four months later. Its sale is necessary, some sources say, because of the millions due in taxes, which accounts for the estate seeking cash upon purchase.

Gourley pampered that 480,000 acres as if it was his half-acre back yard. "He loved that land, it was his life," his wife says. One year he spent \$650,000 alone on fertilizer. The grazing land had been badly abused over the years as too many head of cattle, as many as 20,000, cropped the ground bare. He reduced the herd to about 8,000, concentrating on Herefords and Charolais and a cross-breed of the two.

"IT WAS HIS RANCH"

"He would call every morning from Fort Worth and talk with us here at the ranch for an hour or so," says the ranch business manager, Ken Orr. "It was his ranch and he ran it. He loved it, the land, the cattle, his men. He might meet a new hand on one trip over and the next time, if he saw that man riding 100 yards away, he would remember his name."

His improvements to the range included 400 miles of fence, more than 300 wells with windmills, more than 100 stock tanks and 50 corrals, about 15 cow camps, over 5,000 feet of wind and snow breaks made of railroad ties with corrugated steel sheeting, and 300-miles of improved roads. He irrigated and cultivated 2,500 acres.

"He was a great sportsman," adds Orr. "On several occasions he bought about 800 head of elk from the Yellowstone herd and shipped them down here. He personally built up that herd to 7,000 or 8,000."

Gourley, who made his fortune from his American Manufacturing Co., one of the two major producers of oil-field pumping units and a major ordnance supplier, gained a measure of fame in 1964.

Orr recalls that the newspaper headlines read, "Wealthy Texan Oilman Runs Off New Mexican Fishermen." You know, Mr. Gourley wasn't even on the ranch," Orr relates. The dispute had been over whether the water district that owned the contents of the Costilla Lake Reservoir on Gourley's property also possessed fishing rights. "About 200 of them [fishermen] decided one day to exercise what they thought were their fishing rights," says Orr. "They had their fishing poles but they also had guns. We had a couple of war-surplus halftracks and we used them to block the road. Then we called out the state police. It was a standoff."

Gourley later won the dispute in the state Supreme Court.

The ranch has not paid in recent years, but it does return about \$300,000 annually from fishermen and hunters. It costs \$700 for a hunter merely to enter the ranch. He also pays \$25 a day for room and board and \$50 for a vehicle, plus license and guide fees. "You don't find any better hunting," says Jim Johnson, a contractor from Santa Fe who has been fishing and hunting here since 1933. "Guys come here from all over and nearly all of them get their elk, deer, and wild turkey. They can't believe it, but they should, since there are about 40,000 deer and anywhere from 5,000 to 8,000 elk [in the area]."

Gourley was working on improving the ranch's resort potential when he died. "He had plans for ski slopes, a golf course, and an airstrip when he died," says lawyer Simon, who is a vice president and general counsel of the ranch. "Mrs. Gourley would like most to sell the ranch to an individual who would continue to run the ranch much as her husband has. But I am sure, too, that she would be pleased if the Government chose to purchase and preserve it."

RICH COAL DEPOSITS

It stretches from the grasslands around Cimarron north and west to the 13,000-foot Sangre de Cristo mountains and the Colorado border. To the west is the Carson National Forest and to the south is the Philmont Boy Scouts of America Ranch. It has about 75 high-country lakes and the slopes are thickly timbered with ponderosa pine, spruce, and Douglas fir. The lower elevations have rich coal deposits, though part of both the coal and timber rights have been sold.

"This is the finest recreation land in the southwest," says Fred Galley of the Forest Service's regional office in Albuquerque. "It has four times more water on it than all of the rest of the state's national forests combined. All of us here are convinced that if we acquire Vermejo, it will have to be strictly managed. But where there are only a few hundred fishermen going in there a year now, we'd like to see 100,000."

Galley says that \$55 an acre is a "steal." "If the ranch were broken into parcels, the Gourleys would get much more than \$26,500,000," he says. "There have been parcels of 100,000 acres, and less, selling for as much as \$100 an acre. And none of that land has anything over the Vermejo. We, the Forest Service, don't have any trouble at all justifying the \$26,500,000. Our problem is that national policy now is to purchase land closer to population centers, which means in the East and gives a much lower priority to even so great a tract as the Vermejo Ranch."

He adds that the Forest Service returns 25 per cent of its income to the local governments, which means that the counties would not be hit quite so hard by the loss of taxes from the W. S. Ranch, as it is formally known in the Federal legislation. The ranch is paying about \$50,000 in taxes annually now, and the Forest Service estimates that by about 1985 the Vermejo property would be returning that much to the counties. "That doesn't include the income that the people would receive from the influx of visitors, the building of motels and the restaurants, the jobs. Economically, it would have to help the area," Galley says.

DEVELOPERS FEARED

There is much concern from all interested parties that a consortium might buy the ranch and immediately start on a helter-skelter land-resort development that would neatly subdivide the ranch into a thousand parcels.

Reportedly, there are two consortiums close to making the buy. "I'm not at liberty to discuss who offers what or whether they even made an offer," Simon says. But whenever there is so much money and land hanging fire, secrets are hard to keep. It is known the Japanese Mitsubishi Corp. is interested, and that another group of private individuals bid the \$26,500,000 if the \$1,000,000-plus worth of cattle were thrown in.

Now a consortium headed by Charlie Crowder of Albuquerque is supposedly close to a bid. Crowder, a respected land dealer, has a group of movie stars, land developers, and financiers ready to go, according to the current story. "Charlie's sort of a mysterious character," says the Forest Service's Ted Koskella. "You never know what he's up to until he comes in with, in our case, a land exchange all neatly tied together. He has pulled off more than his share of deals."

But as another financier who has been involved in the ranch negotiations says: "I've heard that the ranch has been sold six or eight times, and I've heard of about 200 different syndicates with the money. The latest is a sheik from Egypt who is supposed to control millions and millions and has about \$26,500,000 to buy the ranch and another \$14,000,000 to develop it." And that story can be confirmed to an extent. Orr says the sheik indeed visited the ranch, and Simon says only that prospective buyers are screened to at least ensure that they might have access to the money before being shown around the ranch.

While this swirl continues, the conservation-preservation groups are cranking up for action. The New Mexico Wildlife and Conservation Association has sent a letter to 100 similar organizations in the country asking for assistance in obtaining congressional action. "Time is of the essence because several private interests are investigating the possibilities of buying the property," says Elliott Barker, the association's head. Congress is not expected to act on the Vermejo Ranch until early next year, if then. "We are trying to keep pressure building," says Representative Lujun, "but with the crush of business and the holidays, it's difficult."

Fabian Chavez, the state's director of tourism, is pushing hardest for state action. "That is 480,000 acres of paradise," he says. "The state could not make a better investment in its future."

He has not received widespread support, however, and so the battle apparently will be waged in congressional chambers. Says one skeptical rancher: "I'm not that convinced any groups of big time financiers are coming close to that \$26,500,000 figure. The heirs to the ranch could simply be applying the pressure by constantly upholding the threat of a private sale. The land is so wonderful today, if you listen to the government and the politicians, that it seems inconceivable that a private rancher could have been controlling and ranching it. There's too damned much public land in these parts now. If the Gourley estate can't find someone with \$26,500,000, well, then let them take it on the chops and break it up into a few chunks."

But today, anyway, the Gourley estate sits firm on its asking price. The state isn't that interested, and Congress isn't in any hurry. An aide to a U.S. senator laughs: "You can bet Charlie Crowder isn't sitting still. Charlie doesn't like to talk about his plans, but when Charlie gets het up on a project, watch out."

THE LEGISLATURE OF THE STATE OF NEW MEXICO, THIRTIETH LEGISLATURE,
SECOND SESSION

SENATE MEMORIAL 23, INTRODUCED BY FRED A. GROSS, JR.

A MEMORIAL

Requesting the Secretary of the United States Department of Agriculture, the United States Forest Service and the United States Office of Management and Budget to give urgent and serious consideration to the acquisition by the United States of the W. S. Ranch in order to place the property in public ownership so that the greatest public beneficial use will result.

WHEREAS, the land and facilities of the W. S. Ranch, also known as Vermejo Park, located in north central New Mexico and southern Colorado, are presently for sale by the owner; and

WHEREAS, this large ranch encompasses some of the most spectacular scenic land in this state and the United States, as well as large areas of wilderness, a variety of fish and wildlife resources and substantial acreage that could be put to multiple beneficial use; and

WHEREAS, unless the ranch can be acquired by the United States and maintained in public ownership as an investment for both present and future generations of Americans as an example of proper environmental management and as an example of the natural beauty of our country that once existed in many places but now exists in but few;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that the Secretary of the United States department of agriculture, the Director of the United States forest service and the Director of the United States office of management and budget give urgent and serious consideration to the acquisition by the United States of the W. S. Ranch in order to place the property in appropriate public ownership so that the greatest public beneficial use will result; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the aforesaid public officials and to each member of the New Mexico congressional delegation.

Signed and Sealed at The Capitol, in the City of Santa Fe.

ROBERT A. MONDRAGON,
President.

JUANITA PINO,
Chief Clerk

Mr. BARKER. Also, a memorial from the New Mexico House of Representatives requesting authority be given for the Forest Service to acquire this.

Senator JORDAN. That will be included in the record.
(The document follows:)

THE LEGISLATURE OF THE STATE OF NEW MEXICO, 30TH LEGISLATURE, 2ND SESSION

HOUSE MEMORIAL NO. 17

(Introduced by Representative David M. Salman)

A MEMORIAL

Requesting the Secretary of the United States Department of Agriculture, the United States Forest Service and the United States Office of Management and Budget to give urgent and serious consideration to the acquisition by the United States of the W. S. Ranch in order to place the property in public ownership so that the greatest public beneficial use will result.

Whereas, the land and facilities of the W. S. Ranch, also known as Vermejo Park, located in north central New Mexico and southern Colorado, are presently for sale by the owner; and

Whereas, this large ranch encompasses some of the most spectacular scenic land in this state and the United States, as well as large areas of wilderness, a variety of fish and wildlife resources and substantial acreage that could be put to multiple beneficial use; and

Whereas, unless the ranch can be acquired by the United States and maintained in public ownership as an investment for both present and future generations of Americans as an example of proper environmental management and as an example of the natural beauty of our country that once existed in many places but now exists in but few;

Now, Therefore, be it resolved by the House of Representatives of the State of New Mexico that the secretary of the United States department of agriculture, the director of the United States forest service and the director of the United States office of management and budget give urgent and serious consideration to the acquisition by the United States of the W. S. Ranch in order to place the property in appropriate public ownership so that the greatest public beneficial use will result; and

Be It further resolved, that copies of this memorial be transmitted to the aforesaid public officials and to each member of the New Mexico congressional delegation.

Senator JORDAN. You came armed with some pretty good ammunition.

Mr. BARKER. I am an oldtime hunter and I learned a long time ago that you are not liable to get your game if you take an unloaded gun with you.

Senator JORDAN. There is a little bit of truth in that.

Mr. BARKER. You are a turkey hunter from North Carolina?

Senator JORDAN. I made so much racket the turkey got away before I got to it. You have to be mighty quiet to be a turkey hunter, as you well know.

Mr. BARKER. Yes; that is the reason I have killed so few.

Senator ANDERSON. I will testify to that.

Senator JORDAN. This is a very wily bird.

Mr. BARKER. Thank you.

Senator ANDERSON. As some people know, I have been a collector of books for 40 years. I wanted to see the evidence of hard work on the part of these sportsmen. These are two volumes—there are three volumes. I loaned a third volume to a man—a great mistake. But these are land grant properties all the way through and when we say he has good title these documents show they have good title. They

have had a special hearing in about 1880 during that period and I would be happy to leave them here but I want to take them back to the office as soon as I could.

Senator JORDAN. We will see that they are kept safe and they are returned to your office.

Senator ANDERSON. They are almost priceless. A short time ago the city of Albuquerque had a suit and could not find enough material. They found it here in my office that was satisfactory and usable. I want to say the Gourleys are fine people, good people. I want to say the Gourleys have done a fine job.

Senator JORDAN. Fine, thank you, sir.

Mr. BARKER. For this honorable committee to evaluate my qualifications, or lack of them, to make this statement it seems appropriate for me to very briefly state my background.

I came to New Mexico with my family overland in covered wagons at the age of three in 1889. I was ranch-raised and finished high school in Las Vegas, N. Mex. For 2 years I was a professional guide and hunter, then a U.S. forest ranger and for 4 years supervisor of the Carson National Forest. Then I ranched for 11 years.

For a year, 1930-31, I was employed by Vermejo Park Club in charge of wildlife management and predator control on the very same area under discussion here today. Then I was director of the New Mexico Department of Game and Fish for 22 years, retiring in 1953. I helped to organize the National Wildlife Federation and served on its first board of directors and have worked with it and other conservation organizations since retiring. I have had five books published, one on the work I did at Vermejo Park, which is now out of print.

I shall discuss the location, history, topography, and resources of the 480,000-acre empire known as Vermejo Park including W. S. Ranch.

LOCATION

Vermejo Park, including the old W. S. Ranch, is truly a fabulous 480,000-acre area adjacent to Colorado in northern New Mexico; 80,000 acres lie west of the Sangre de Cristo Divide in Taos County, except 4,000 acres which are in Costilla County, Colo. The remaining 400,000 acres east of the Sangre de Cristo Divide are in Colfax County. The area lies north, northwest, and northeast of the town of Cimarron, N. Mex., where the world famous Philmont Boy Scout Ranch is located.

HISTORY

The area east of the divide lies within the 1,714,765-acre Baubien-Miranda land grant. This grant was made by the Mexican Government in 1841, 5 years before New Mexico became a part of the United States. This and many other land grants were honored by the Treaty of Guadalupe Hidalgo, and the U.S. Supreme Court confirmed the validity of this grant and its present boundaries in 1887. By then it had become known as the Maxwell land grant, Lucien Maxwell land grant, Lucien Maxwell having become its owner.

Gradually this far-flung estate was subdivided and sold in large tracts. In some areas prior to such sales, settlers believing the land was open for settlement, in good faith settled on the land and established

their homes there. The Vermejo Park was one such place and ruins of old abode and stone buildings are still to be seen, but the many original log buildings have long since vanished.

After bitter court battles and on-the-ground struggles, with some loss of life, the settlers were evicted. The same identical thing took place on the west side of the divide on the Sangre de Cristo land grant. That was high country, however, used mainly in summer. While the law was on the side of the grant owners, the loss of their homes and grazing lands was bitterly resented by the settlers and continues to be so to this day by their descendants.

In the early 1900's William H. Bartlett, a Chicago capitalist, bought a choice tract of 200,000 acres and established Vermejo Park as a cattle ranch and game preserve. He made extensive improvements, including three palatial mansions, one of which, known as the Big House, cost a half million dollars. It and one other have burned.

Wildlife was well taken care of and it thrived. It was here in 1911 that elk were first reestablished in New Mexico after having been exterminated prior to the turn of the century.

In 1926 Mr. Harry Chandler, publisher of the Los Angeles Times, purchased the property and organized the Vermejo Club, and sold 96 memberships at \$5,000 each. Members included Herbert Hoover, Douglas Fairbanks, F. W. Kellogg, Cecil DeMilne, Thomas W. Warner, Andrew Melon, Harry H. Sulsburger, Frank Barbutt and others of like stature.

The club was set up for general recreation, hunting and fishing, but members came so rarely that it was not a success. The cattle operation continued successfully by leasing the grazing resources to a single operator. Elk, however, replaced beef at the cow camps.

In 1945 William J. Gourley, a Texas businessman, bought the property which, by then, embraced 360,000 acres. Mr. Gourley's ambition was to make it the very best game and fish area in the Nation in conjunction with a fine cattle ranch. He was successful. He produced plenty of elk, deer, bear, and wild turkeys and commercialized on wildlife as a business. The whole area was posted against trespass, hunting, and fishing. A substantial fee was charged for such privileges, \$700 for a permit to take an elk, a deer, bear, and turkey.

Mr. Gourley made extensive range improvements all over the area, and additional land purchases to bring the area up to the present 480,000 acres. Then in August 1970, Mr. Gourley passed away and his untimely passing brought about this opportunity for the Forest Service to acquire this fabulous private empire in the public interest, as an addition to the Carson National Forest.

Topography: A brief topographic description of the area seems important in order for this honorable committee to envision its magnificent character. The historic high Sangre de Cristo Range traverses the tract from north to south 6 or 7 miles east of the west boundary which is the summit of the even higher Costilla Range. The 21-mile-long strip between these two majestic ranges embraces 80,000 acres of which 4,000 are in Colorado, all on the Costilla River watershed.

This is typical, scenic high country characterized by broad, grassy valleys, aspen woods, alpine forests, timberline peaks, bunch grass parks, and lush meadows. It is well watered with springs, rivulets,

creeks, beaver ponds and lakes, including a 300-acre irrigation reservoir serving outside farmlands. A deep gap in the Costilla Range provides an exit for Costilla River, tributary of the Rio Grande.

The elevation ranges from 8,500 feet where Costilla River exists to 13,105 feet atop Costilla Peak, just 5 miles north. The area is the very best summer range for cattle, elk, deer, and other wildlife. Some 25,000 acres of the northwest portion is well qualified for wilderness classification.

Access to this high country area is by a graded road from headquarters over the Sangre de Cristo Range, and by a rough road from the west up Costilla River Canyon from settlements downstream.

The bulk of Vermejo Park, or ranch, 400,000 acres, lies east of the Sangre de Cristo Range. Two or 3 miles down the slope from the summit, and parallel to it, is an unusual and spectacular geologic oddity known as the wall. It is a dike of varying height and thickness protruding up through the sedimentary rock structure for miles. At one point along the wall spectacular Ash Mountain, a huge, rounded peak of stack rock of volcanic origin bulges up high for a landmark.

Eastward from the wall the terrain is characterized by long valleys, some broad, some narrow, lying between timbered ridges and mesas, many of which are rimmed by sandstone and limestone cliffs. There are innumerable side canyons and draws tributary to the valleys. This whole area is on the watersheds of the Vermejo and Cimarron Rivers which join the waters of the Canadian River and eventually reach the Mississippi River. The main headquarters is at 7,800 feet elevation on Vermejo River in the north-central part of the area.

Ponderosa pine, Douglas-fir, white fir, and, in the lower elevations, pinyon and juniper are the principal timber types, with an undergrowth of Gambel's oak, mountain mahogany, and other browse shrubs which occur abundantly on sparsely timbered slopes. It is ideal elk, mule deer, bear, and wild turkey habitat. There are patches of aspen in the higher areas and fine cottonwood trees in abundance along streams.

Extending from the main body of the area to the southeast is a boot resembling in shape the State of Florida, whose foot reaches down into open prairie country. This is the famous old W. S. Ranch, the State's finest grazing land and antelope habitat. U.S. Highway 64 traverses this tract and the main access to headquarters is from this highway over a graded road up Van Brimmer Canyon to Castle Rock, then down Rock Creek. The minimum elevation here is 6,000 feet, the lowest on the ranch. The highest on this 400,000-acre segment is 12,586 feet atop Little Coatilla Peak on the Sangre de Cristo Divide.

Now, I will describe the abundant natural resources of this fabulous privately owned empire.

Grazing resources: Presently about 10,000 head of cattle are being grazed on the area, but at times in the past it has been many more. The grazing resource is highly important to the local economy. Public ownership will not adversely affect the livestock tax revenue, because livestock will continue to graze there and taxes will be paid on them. Perhaps more nearly on the full number than now.

Mr. Chairman, I wish to emphasize right here that grazing is one of the most important phases of this proposed acquisition. Should the

area remain in private ownership the grazing resources will be enjoyed by some multimillionaire company or corporation while small settlers and ranchers who need the range will be deprived of their use.

On the other hand, if the Forest Service acquires the area, the grazing resources will come with it unencumbered. The Forest Service will be free to follow its traditional policy of allocating the grazing privileges in an equitable manner to small, nearby operators who really need the range.

Opponents of the acquisition by the Forest Service of this vast, rich man's estate are in effect saying that they want the extensive grazing resources to be enjoyed and capitalized upon by the many unrich settlers and ranchers who need some additional grazing in order to make a living. That, I submit, is not a very humanitarian way to look at it.

Another thing is that undoubtedly a portion of the grazing here can be used to relieve overused areas of the Carson and Santa Fe National Forests by transferring cattle under permit there to here. That would be a most helpful method of relieving some progressively tight situations in the very popular Pecos Wilderness Area in these forests where range for more recreation-related stock is badly needed.

On Vermejo Park Range improvements are fully adequate in every respect to obtain optimum use without overgrazing—400 miles of fences, scores of wells and windmills, many watering tanks, 50 corrals, 25 cow camps, cultivated land producing 146,000 bales of hay for winter feeding, et cetera. I know of no ranch that will carry 1,000 head of cattle that can be bought for a million dollars. Hence, the grazing resource alone on Vermejo Park is worth at least \$10 million.

Watershed: New Mexico water is in short supply. It is the very lifeblood of the State. Agriculture, industry, cities, towns, and outdoor recreation developments are always limited by the amount of water available. Therefore, it is imperative that the watersheds be fully protected. Private ownership often does not get the job done.

The Vermejo Park area embraces one of the most important and highest water yielding watersheds in the State. The high country is especially high water yielding. The watersheds on Vermejo Park are in fairly good condition, although there has been some erosion. In private hands there is no assurance that these watersheds will be safeguarded as they should be and would be under Forest Service management.

Wildlife: Mr. Gourley did a fine job of building up wildlife on this area. But the fact that he, and his predecessors for over a half century, commercialized on wildlife and fisheries resources to the exclusion of the public has long been a thorn in the side of sportsmen and a large segment of the public. In public ownership and under sound management by the wildlife agencies the magnificent wildlife and fisheries resources would provide sportsmen with a high-quality recreation area.

With a change in private ownership there would be no assurance whatsoever that the present abundant game supply would be perpetrated. Even if it were it is unlikely that the public would be permitted to share in its enjoyment. As in the past it is likely that any new owner would commercialize on the wildlife resources, and that the public would be deprived of any participation in hunting and

fishing except upon payment of the exorbitant fees which the average person cannot afford.

The wildlife habitat and resources are truly exceptional, by far the best of any area of like size in the State. There is a fine herd of no less than 4,000 elk, and mule deer number about 12,000. Black bear are more numerous than anywhere else in the State. There are 200 antelope in the low-lying prairie area. Merriam wild turkeys are in good supply and with the existing optimum habitat there is room for an increase in numbers. There are also blue grouse in the areas above 8,500 feet, and a considerable number of ducks nest around the lakes and beaver ponds.

There is a normal population of mountain lions. There are gray foxes, bobcats, too many coyotes, badgers, abert and chickaree squirrels, prairie dogs, cottontail, snowshoe, and jack rabbits. Beavers are abundant and provide many ponds to augment trout waters. The endangered black-footed ferret may still exist there.

Nowhere else that I know of can one find the variety and abundance of wildlife species that is resident on Vermejo Park. The outstanding feature of the big game situation is that the area embraces both summer and winter range. There is suitable habitat for restoration of big-horn sheep and ptarmigan, which were indigenous to the area.

Traditionally and in accordance with all Supreme Court decisions, wildlife is the property of the State held in trust for the people thereof. Such tremendous wildlife resources should, by all means, be made available for management in the interests of the general public and sportsmen. That can be done only if the land embracing its habitat is in public ownership. Habitat would be managed by the Forest Service and the wildlife by the State to which it belongs.

Fisheries: The trout fishing resources are extensive, diversified, and exciting. There are about 100 miles of trout streams and 60 lakes, large and small. Some lakes can be enlarged and new ones developed by transferring water rights from agriculture to fisheries. The fisheries resources are of special interest because lakes and streams are located in the most beautiful scenic areas.

Like the wildlife resources, fishing has been commercialized to an undesirable degree. The entire area for 65 years has been posted against public entrance. Right or wrong, this has rankled New Mexico citizens and out-of-State visitor no end. The department of game and fish has very often been subjected to severe criticism because it did not do something to change it. But under the laws there was nothing it could do about it. But now, if we act quickly, there is an opportunity to acquire the entire marvelous half-million-acre estate in the public interest and all that would be changed.

General recreation: By general recreation resources, I mean the area's adaptability for camping, picnicking, scenic sightseeing—by car or otherwise—bird and animal watching, picture taking, rock collecting, exploring, mountain climbing, hiking, backpacking, horseback riding, horse pack-in trips, wilderness experiences, et cetera.

This remarkable Vermejo Park area has virtually unlimited resources for all of these activities. There is spectacular scenery all the way from 6,000-foot lowlands to the 13,000-foot timberline peaks. Wild flowers occur in great variety, since the area embraces five of the six life zones found in New Mexico and five of the seven to be found in

North America. Where else can an area of such size and quality be found, much less purchased?

The Outdoor Recreation Review Commission's report emphasized the need for acquiring more recreation areas, particularly near centers of population. Areas of this type are not to be found near cities, but this is the nearest area of its kind to six or seven States whose people will come to it. Being packed full of wildlife, fisheries, general recreation, and other resources, it is imperative that the area be managed so as to provide high-quality recreation, if acquired.

In addition to wildlife, fish, and general recreation resources there are many improvements suitable for use therewith which greatly enhance the land's value. There is an elaborate owner's headquarters, complete farm and ranch headquarters on Vermejo River and at Cimarron, three well-equipped hunting lodges of 15- to 20-guest capacity, quarters for cooks, guides, et cetera, and many other buildings which may be converted to recreation-related use. There are 300 miles of roads, half of them graded and drained, the others for jeep and truck use. Telephone and REA electric service is available at the park and Cimarron headquarters.

The need for public ownership: The need to have this fabulous, half-million-acre private empire in public ownership, preferably by the U.S. Forest Service, is very great. It is not just a local need, but in public ownership the land and resources will serve people from all over the Nation. People from all over annually come to recreate in New Mexico mountains. On the 11-day wilderness trail rides which I conduct each year, the majority of the guest riders are from east of the Mississippi and California. Vermejo Park would be a great national asset. It is so recognized by scores of national organizations. This would be the soundest possible investment, not just an expenditure of funds. It is an investment of public funds for the public.

New Mexico's mountains are great attractions for tourists, particularly from the adjacent flat-land States. Unfortunately, our mountain areas suitable for high type recreation are somewhat limited and the use is great. We find many areas being overused even with strict regulation. There is desperate need for more mountain recreation areas, hunting and fishing, and Vermejo Park would be a wonderful supplement both as to size, diversity of resources, and quality.

The grazing resources for 10,000 cattle is badly needed by nearby small operators, perhaps 200 of them, to round out home-sustaining, economic units of small operations. Such distribution would certainly be highly beneficial in that depressed area.

Commercialization of the State's wildlife and fisheries resources by a multimillionaire corporation to the extent it has long been here is not in accordance with the American ideals. That situation has always been unsatisfactory to sportsmen and the public generally, despite the fact that high populations of wildlife were maintained. Under Forest Service ownership with it managing the habitat, and the State department of game and fishing managing the wildlife, an equally good job can be done with the public sharing equitably in hunting and fishing.

The watershed is highly important and must be protected and there is no assurance that it would be safeguarded in private ownership.

While much of the timbered area has been cut over there is need to protect and manage the young timber and second growth for the

future. Actually, the fire danger is greater and hence, the need of protection is greater than if it had not been cut over. Again, there is no assurance that the forested areas could or would be adequately protected and managed on a long-term basis in private ownership.

Except for the limited areas that the department of game and fish has acquired for public recreation and wildlife, and 11,500 acres of national forest, Colfax County has no public lands or recreation areas, and visitors drive on through to national forest areas beyond. It is discouraging to have many visitors come to our mountains and find them locked up. Opening this area would help a lot.

Land today is in great demand. Land is the most valuable resource that we have. Land of the quality of Vermejo Park is as sound an investment as can possibly be made. It is a once-in-a-lifetime occurrence to have the opportunity to acquire for public use and benefit a tract of land of this size and packed with multiple, high quality resources. It seems to me and to the many individuals and organizations that I represent here today, that it would be a major tragedy for the Forest Service not to be authorized to acquire Vermejo Park, or ranch.

The asking price: Some have felt that the asking price of \$55 per acre is too high. Perhaps it is, but so is everything that we buy. The price is not out of line with other land values. Grazing lands with no other resource but grazing sells for \$30 to \$40 per acre. Add to that the watershed, timber, wildlife, fisheries, and general recreational values and it adds up to considerably more than \$55 per acre.

Since other witnesses will present some actual land sales comparisons, there is no need for me to duplicate their testimony in that regard. I would, however, like to mention one instance that has particular significance. In 1966 the New Mexico Department of Game and Fish bought from Homer Bennett a tract of 5,500 acres just a few miles south of Vermejo Ranch boundary and paid \$250,000, or \$45.45 per acre, for it. That was 6 years ago and land values have gone up at least 10 percent in that time. Except for timber the Homer Bennett tract resources are in no way comparable in quality or relative quantity to those of Vermejo Ranch, yet the price is about the same.

Some of the livestock people are claiming that the price of Vermejo is a way too high. Yet, it was one of the longtime leading cattle ranchers and prominent and honorable New Mexico citizen who was chairman of the appraisal board who set the price of \$45.45 per acre for the Bennett tract. Then, too, that was a Federal aid project and the Federal agency involved approved the appraised price.

Urgency for action: Since Vermejo Ranch is such a wonderful empire there are many others interested in purchasing it and some offers have been made. Even Japan's Mitsubishi have looked the ranch over. It would be a tragedy and a shame that we could never live down to fail to acquire this fabulous private empire for benefit of the public. Conservation organizations all over the United States are backing this project. The National Wildlife Federation has said it views the urgency of acquiring it in a light similar to the action taken recently by the President to save the Big Cypress Swamps of Florida. Very prompt action really is essential.

Financial effect on the county: Taos County favors the acquisition. Colfax, with 400,000 acres of the area has questioned it. The facts are the cattle will still be grazed there and taxes will continue to be

paid on them; hence, no adverse effect. Colfax County now receives about \$42,000 annually in property tax. Should the area become a part of the Carson National Forest, Colfax County would at once qualify for its proportionate share, based on acreage, of the 25 percent of revenues of the entire forest. That would amount to \$20,000 now, and increase annually as revenues from this property comes in. That leaves a current loss of only \$22,000, and that would be made up many times over by sales taxes on expenditures of additional thousands of visitors, hunters, and fishermen who would spend time and money in the county.

Conclusion: It has been suggested that this area, as an addition to the Carson National Forest, be designated the Clinton P. Anderson addition. No one is more deserving to have such a fabulous area as Vermejo Park dedicated to him than Senator Clinton P. Anderson.

The Forest Service's policy is not to name areas for living persons. The New Mexico Game Commission had a similar policy. It made an exception and named the above-mentioned Homer Bennett tract the Elliott S. Barker Wildlife Area. The merits of making this exception are a hundred times more justified than in my case; hence, I recommend it.

Mr. Chairman and Senator Anderson, I deeply appreciate the opportunity afforded me to make this statement here today and the courtesies extended to me. The 75 organizations, headed by Gov. Bruce King and ex-Gov. David F. Cargo, who authorized me to testify on their behalf, are also appreciative.

I thank you.

Senator JORDAN. Thank you very much and I thoroughly agree with your comments about Senator Anderson. He has no peer in this body, either.

Mr. BARKER. Thank you.

Senator JORDAN. Thank you very much.

Mr. BARKER. Thank you very much, sir.

(Supplemental statement filed by Mr. Barker is as follows:)

SANTA FE, N.M., March 10, 1972.

HON. B. EVERETT JORDAN,
U.S. Senator

DEAR SENATOR JORDAN: There were so many inaccuracies in the statement made by Mr. Erwin Kulosa at the hearing on S. 2699 that I wish to file this letter as rebuttal evidence.

Statement in last paragraph, page one that, "Evidence demonstrates that private industry forest management is doing a far better job than public management." That is directly contrary to all of my observations. A case in point is the Baca Location land grant where within the past year the New Mexico Timber Company was taken into Federal Court and ordered to go back and properly dispose of slash, standing snags, install erosion control on logging roads, etc., because it failed to comply with any reasonable Forest management standards. This 100,000 acre tract is only one example of had industrial timber harvesting management.

On page 2, the statement that 57% or 44 million acres in New Mexico are in government ownership or control is wrong. Only 44% of New Mexico is Federally owned.

In the last paragraph on page 2 it is stated that 27 million acres in New Mexico are devoted to recreation. That is a great exaggeration. If he included all the National Forests, all the BLM lands and all the State and National Parks and monuments it would barely reach that figure. Only a fraction of the BLM lands, and not over half the National Forests may be said to be devoted to recreation.

Even on National Parks such as the Carlsbad Caverns and White Sands Parks only a very small percent of the area is used by the public for recreation or anything else.

At top of page 3, while there is an oil and gas lease neither has ever been found. Except for a very small spot the Coal mining would be under ground, not strip, and little interference would occur. Timber lease is only temporary, and all areas cut over by units are required to be released back to owner with no second cutting privileges.

Last paragraph C, page 3: Actually about two thirds of the timbered area has been cut over under present or previous contracts. That only 3% of the timber has been removed is ridiculous. But if it were so, it would mean that the Forest Service would be paid for 97% of the timber when cut should the Service acquire the property and timber rights.

On Page 5, paragraph 7. A general recommendation is always subject to exceptions. Had the Land Law Review Report makers had knowledge that this property would become available for purchase I have no doubt but that an exception would have been made. This truly is a once-in-a-lifetime opportunity and I cannot imagine the Public Land Law Review Commission being so hide bound as to ignore this fabulous area had it come to their attention.

Furthermore, the Vermejo Park property is not being proposed for acquisition for recreation only. The watershed is highly important, and the grazing resources are most desirable to meet the needs of some small, local operators and to enable the Forest Service to relieve some areas in the Santa Fe and Carson National Forests where grazing use is becoming too great. It is a conservation measure.

Protection of the timbered area to provide timber for the future is another prime objective. I deny that the Land Law Review Report is in opposition to S. 2699 because recreation is only one feature of the proposed acquisition.

Page 5, paragraph 8. That is an unsound argument because it is only speculation as to what might happen. Also because no wilderness area can be set aside under the provisions of the Wilderness Act of 1964 except by act of Congress upon findings that such action is in the public interest.

Page 6, paragraph 10. The fact that one news paper with a new editor got a bit off base in an article does not mean that the public generally are misinformed. I have tried hard to make a comprehensive statement of facts, as presented at the hearing, and it has gone to well over a hundred conservation organizations over the nation, to all the 50 state Game and Fish Departments and to scores of groups and individuals. Ninety eight percent are favorable to the acquisition of Vermejo Park by the U.S. Forest Service. Our Governor is, too.

I will appreciate your giving the above letter proper space in the report of the hearing on S. 2699.

Respectfully,

ELLIOTT S. BARKER,

Chairman, New Mexico WCA Vermejo Park Acquisition Committee.

Senator JORDAN. Mr. Adee, we will be glad to hear you. You may come up. How long is your statement?

STATEMENT OF BOBBY D. ADEE, PRESIDENT, NEW MEXICO WILDLIFE AND CONSERVATION ASSOCIATION, HAYDEN, N. MEX.

Mr. ADEE. Two pages.

Senator JORDAN. Thank you. You may proceed as you wish. The reason I say that is we are going to have to get through by noon, because we have other meetings and appointments.

Senator ANDERSON. We do have other problems.

Senator JORDAN. Yes. But this is an important hearing and I am delighted to stay here as long as my time will let me stay. You may proceed.

Mr. ADEE. Mr. Chairman, Senator Anderson, I appreciate the opportunity granted me to testify before this honorable committee for myself and on behalf of the New Mexico Wildlife and Conservation

Association, organized in 1914, and through its affiliates and associate organizations represents some 15,000 people. Rarely has any project or proposal come up in which there has been such unanimous agreement and enthusiasm as there is now for the purchase of Vermejo Park by the U.S. Forest Service as provided in S. 2699.

Never before has there been an opportunity in New Mexico to acquire in the public interest a tract of land the size and quality of Vermejo Park. And I may say there never will be again, because there just is not any other tract of land that can match it with its multiple resources. This is surely a once-only opportunity.

I am a New Mexico rancher. I own and operate a cattle ranch in eastern New Mexico, and I know the value of grazing land and the importance of property tax revenue to counties and the State. I also know that there are some livestock, farm, and timber organizations in New Mexico which oppose the purchase by the Forest Service of this fine area. However, that does not mean that the rank and file of the membership of those organizations support that position.

While we in the ranching business must look out for our own interests, we must not be selfish. We must consider the interests of the general public. For instance, it would seem to be a great deal better to have the grazing resources of Vermejo Park divided up and made available to the small, nearby ranches that need additional grazing range than to have the whole resource used by some multimillionaire corporation.

It would also seem to be definitely in the public interest to have the great wildlife and fisheries resources managed in the interest of the public rather than to have them commercialized and enjoyed by a few wealthy people. For these and many other reasons, the New Mexico Wildlife and Conservation Association and its affiliates and associate organizations strongly favor acquisition of Vermejo Park by the U.S. Forest Service.

Those who oppose the public ownership of this property because of the tax revenue loss to the county overlook the fact that there would be new revenues that would more than offset this loss. Colfax County would lose only about \$42,000 in property taxes. Half of that would be made up immediately by the county's share of the 25 percent of national forest receipts paid to the counties. The Forest Service projections show that by 1980 the 25 percent payments would equal the present property tax. Meanwhile, there will be many more benefits by way of greatly increased visitor expenditures with businesses and sales tax, et cetera.

The existing facilities suitable for concessionaire operated resorts will accommodate 170 guests daily. According to Forest Service figures they can be easily expanded to take care of over 300. A ski area can be developed eventually.

The Game Department and the Forest Service estimate that there would be 51,000 fishing days, and 54,000 hunting days per year. While no actual estimates have been made of visitor days for picnicking, camping, hiking, backpacking and horseback riding, it is certain that the scenic attractiveness of the area would draw literally thousands of visitors each season. It has been estimated by the Forest Service that by 1980 the total recreation day use would be somewhere near 275,000, and by 1990 about twice that number.

Studies made by the State game department and others indicate that a resident fisherman will spend about \$14 a day in connection with his piscatorial activities, and a nonresident about \$28. A resident hunter will spend about \$25 per day on his hunting sport, and a nonresident about \$60 a day. The greater number of nonhunting and non-fishing visitors' expenditures may not be quite that high, but they will greatly stimulate business in the area.

When one considers these factors, it is obvious that the county will be benefited instead of hurt financially by Forest Service acquisition of Vermejo Park.

While the price of \$55 per acre being asked for the property seems high it actually is not when one considers its many assets. There is grazing for 10,000 cattle, timber for the future, watershed values, game and fish, and general recreation resources. It is not often that all these resources are to be found on any one tract of land.

We purchased our ranch in 1958 for \$32 per acre. It is strictly grazing land. In 1968 some grazing land adjoining it sold for \$41 per acre, and recently another place nearby sold for \$78.25.

Thirty dollars an acre is a reasonable price for strictly grazing land which Vermejo Park has in abundance. Add the value of the timber, watershed, vast array of improvements, wildlife and fisheries resources, and the unequaled general recreation resources, and the value easily exceeds the asking price.

We believe that it would be a tragedy for the Forest Service not to be authorized to acquire Vermejo Park in the public interest. It is a once only opportunity. The State needs more recreational areas to be able to take care of the ever-increasing resident and nonresident demand for recreation. Hence, the New Mexico Wildlife and Conservation Association respectfully, but strongly recommends passage of S. 2699.

I thank you, Mr. Chairman, and members of this committee for the privilege of presenting this statement.

Senator JORDAN. Thank you, sir. That was a very fine statement. I appreciate your having been with us.

Mr. ADEE. Thank you, sir.

Senator JORDAN. Miss Findlay. We are glad to have you. You may proceed. Are you from New Mexico?

STATEMENT OF MISS LINDSAY FINDLAY, NEW HAMPSHIRE WILDLIFE FEDERATION AND NEW YORK STATE CONSERVATION COUNCIL, NEW YORK, N.Y.

Miss FINDLAY. I am from the East.

Senator JORDAN. Well, you may proceed.

Miss FINDLAY. Mr. Chairman, Senator Anderson, I am Lindsay Findlay. I am a resident of Connecticut and I am in business with my father in New York City. It may seem strange that a person from the East would be interested in a bill affecting the lands of far away New Mexico, but really, there are valid reasons.

I appreciate the opportunity afforded me to present this statement favoring the passage of Senate bill 2699, authorizing the U.S. Forest Service to acquire the 750 square mile Vermejo Park, or ranch, in

northern New Mexico. In making this statement I am not speaking for myself alone. But I have the honor of being authorized by the New Hampshire Wildlife Federation, and the New York State Conservation Council, with its 300,000 members to speak for them also in favor of this legislation.

I will hand the original letters of authority to the recording secretary.

Senator JORDAN. We will include them at this point right after your statement.

(The letters referred to follow :)

CONCORD, N.H., February 18, 1972.

MISS LINDSAY FINDLAY,
11 East 57th Street,
New York, N.Y.

DEAR MISS FINDLAY: We of the New Hampshire Wildlife Federation Inc., heartily support the S.B. 2699 and do hope that the New Mexico Forest Service will be allowed and authorized to acquire the famous and fabulous 480,000 acre Vermejo Ranch or Park, without delay.

We here in New Hampshire with our beautiful Mountains realize how important it is to have these areas both for the public use and the unlimited resources they provide for both men and wildlife. We heartily endorse this worthy project and feel that with the fine Senator Anderson from New Mexico and a fine statesman such as Elliott Barker fighting for this most necessary Bill that you and many others are so rightly concerned with that you will have no trouble in the passage of S.B. 2699.

Sincerely yours,

RACHAEL TERRILL,
Representative.

W. RAY NELSON,
New Hampshire Wildlife Federation.

CARMEL, N.Y., February 22, 1972.

MISS LINDSAY FINDLAY,
11 East 57th Street,
New York, N.Y.

DEAR MISS FINDLAY: I understand that you will be appearing before the Senate Subcommittee on Environment, Soil Conservation and Forestry to testify on Senate Bill S-2699 which authorizes the Forest Service to acquire the 480,000 acre Vermejo Ranch in New Mexico.

The purpose of this letter is to authorize you to speak on behalf of the New York State Conservation Council and its 300,000 members in approving the above mentioned acquisition by the Forest Service.

The Council heartily approves of S-2699 and supports the New Mexico Wildlife and Conservation Association Inc. in seeking this legislation.

It should be emphasized that this authorization to represent the Council applies only in respect to Senate Bill S-2699.

Sincerely yours,

J. W. MULLARKEY,
President, New York State Conservation Council.

MISS FINDLAY. We who have no such resources can appreciate another State's need and desire to acquire this wonderful tract.

I have been on several 11-day wilderness trail rides in New Mexico's magnificent back country areas. I am also familiar with other parts of that State. I have friends who also go to New Mexico for outdoor recreation. We simply have to go out there for the wilderness experiences because, unfortunately, we have nothing of the kind here in the East.

I am told that New York is one State that always has representatives on the New Mexico wilderness trail rides. Last year there were several

from Connecticut also. Most of the trail riders are from the East and Midwest. The same is true of other types of recreation.

New Mexico mountains are very fine and have many scenic and esthetic attractions. Those are the nearest mountains to a number of the plains and Southern States. So it is natural that the citizens of those States flock to the New Mexico mountains for their vacations. Unfortunately, New Mexico mountain recreation areas are somewhat limited, and my observations have been that they are becoming more fully utilized. We can rub elbows with each other here in the cities, but when we go out there to the mountains full enjoyment is dependent upon considerable freedom and ability to get away from the crowds.

With the attractiveness of New Mexico's mountains it is inevitable that recreation use will increase year by year. We cannot go out and make any more mountain country no matter how badly we need it. It is an unusual thing that such areas, even of small acreage, can be purchased. But here we have a half million acre estate of highly scenic land with lots of wildlife and fishing waters, and very great resources for camping, picnicking, hiking, horseback riding, and other activities which is not now available for use by the public.

From my observations I can see that New Mexico needs more public, mountain recreation areas to take care of the demand. That demand is not so much from its own residents as it is by nonresident visitors, many of whom are from right here in the East. We in the East do have an interest out there and I feel that it is our duty to help in any way that we can.

That is why I am here to urge passage of S. 2699. That is why the New Hampshire Wildlife Federation, and the New York State Conservation Council with its 300,000 members, asked me to represent them in urging passage of this legislation.

Acquisition by the Forest Service of Vermejo Park, in the public interest, would be a big help. It truly is an opportunity of a lifetime to be able to purchase at any price such a magnificent area. Certainly, it would be more constructive than acquisition of lands through condemnation by the Army Engineers from people who do not want to sell, with which I have had experience in New Hampshire.

Mr. Chairman and Senator Anderson, I do appreciate the opportunity of testifying here today in behalf of a very worthy cause.

Senator JORDAN. Thank you very much. I appreciate your testimony. Well now, if you cannot get to New Mexico you can stop in the Great Smoky Mountains of North Carolina, you know, and if you have not been there you have missed something.

MISS FINDLAY. I am sure—

Senator JORDAN. It is the most used national park in America.

MISS FINDLAY. Really?

Senator JORDAN. Did you realize that? The only problem we have is getting enough roads for people to get in and out. But it is marvelous land. It has an opportunity to be acquired now and split up into small tracts later on. That is probably what will happen to it. Senator Anderson, a tract this large is destined to be split up into many areas and tracts because very few people can acquire that much land. In the first place, they do not have the money and in the second place, they would not want it, and so it is a good idea, I think, to get it while it is in one piece and it can be acquired.

Thank you for being here and representing your organizations.
Thank you so much.

Mr. Powell, Greater Albuquerque Chamber of Commerce.

**STATEMENT OF RAY B. POWELL, GREATER ALBUQUERQUE
CHAMBER OF COMMERCE, ALBUQUERQUE, N. MEX.**

Mr. POWELL. Thank you, Mr. Chairman, Senator Anderson.
In view of the lateness of the hour, I will abbreviate my remarks.
Senator JORDAN. They will all be included in the record.

Mr. POWELL. Very good.

It is a privilege to have the opportunity to testify for myself and the Albuquerque, N. Mex., Chamber of Commerce in behalf of S. 2699, which provides for the acquisition of Vermejo Park by the U.S. Forest Service.

As a private citizen long interested in preserving a proportion of the God-given natural resources of this country for the enjoyment and use of present and future generations, I respectfully recommend the early acquisition of this incomparably beautiful area.

As a representative duly authorized to appear before you by the Albuquerque Chamber of Commerce, long interested in the economic development of northern New Mexico, an area with near the lowest per capita income in the Nation, I strongly urge the immediate acquisition of Vermejo Park to assure that the outstanding natural resources of the area will be managed and protected for public use and enjoyment under the principles of multiple use and sustained yield.

As was brought up by your question, many small ranchers would benefit, the tourism generated by the National Forest Service would provide jobs for hundreds of local residents most of Spanish ancestry, who currently are unemployed. Time is of the essence because several private interests are investigating the possibilities of buying this property and, as you pointed out just a moment ago, Mr. Chairman, some with the obvious intention of breaking it up in to small plots probably never again to be reassembled.

The Albuquerque Chamber of Commerce took an unprecedented step in unanimously endorsing the acquisition of the Vermejo Park Ranch in the public domain.

I might add, chambers of commerce are not often known for advocating public ownership but our chamber with a membership of 2,500, has done so unanimously and enthusiastically.

Thank you very much for your time.

Senator JORDAN. May I ask a question of you and Senator Anderson also? Is there a large amount of timber in this area?

Senator ANDERSON. Yes, there is.

Mr. POWELL. Yes.

Mr. WOOD. About 300,000 acres of this are under a contract now to 1990 but there are cutting restrictions on this that they can cut nothing under 8 inches and a great deal of this from 8 to 12 inches has not been cut. It cannot be relogged and they have cut over a great portion of

this. It has been kept in very fine shape and they have restored a lot of the land and the future potential for a new crop of timber is very great; it is in fine condition.

Senator JORDAN. Our wood supply is an important part of our economy. Certain types of wood are being cut over more rapidly than they are being replaced. Pulpwood is moving up very rapidly but that is not the saw timber we build houses out of and other things. I think timber is an important part of this land.

Mr. WOOD. This is some of the finest ponderosa pine in the West.

Senator JORDAN. That is great timber. Thank you very much and we appreciate your testimony.

Mr. POWELL. Thank you, Mr. Chairman.

(Mr. Powell's prepared statement is as follows:)

Mr. Chairman, Members of the Committee and Senator Anderson:

It is a privilege to have the opportunity to testify for myself and the Albuquerque, New Mexico Chamber of Commerce in behalf of S-2699 which provides for the acquisition of Vermejo Park by the U.S. Forest Service.

As a private citizen long interested in preserving a proportion of the God-given natural resources of this country for the enjoyment and use of present and future generations, I respectfully recommend the early acquisition of this incomparably beautiful area.

As a representative duly authorized to appear before you by the Albuquerque Chamber of Commerce, long interested in the economic development of Northern New Mexico, an area with near the lowest per capita income in the nation, I strongly urge the immediate acquisition of Vermejo Park to assure that the outstanding natural resources of the area will be managed and protected for public use and enjoyment under the principles of multiple use and sustained yield.

The property, varying in elevation from about 6,500 feet to near 13,000 feet, embraces the very best wildlife habitat in the state for elk, mule deer, bear, Meriam wild turkeys, grouse, and, in the lower open areas, antelope. There is also some waterfowl nesting. It is well stocked with these game species.

The 100 miles of streams and some 60 lakes constitute a truly fabulous trout fisheries resource. The water area is greater than the total water area of the five National Forests in the state.

Hunting and fishing resources are great, but the general recreational resources for vacationing, camping, hiking, mountain climbing, horseback riding all in a highly scenic area are unlimited. Existing improvements suitable for lodges are extensive.

The watershed, 80,000 acres on the Rio Grande and 400,000 on the Canadian River drainages, is one of the most important in the state. There is great need for watershed protection and intensive management far beyond that provided in private ownership.

There are a vast number of beautiful lush valleys and mountain meadows, but about two-thirds of the area is timber land. Perhaps two-thirds of the timber is ponderosa pine with a mingling of white and Douglas fir. There are many fine aspen woods. This is an area truly unsurpassed in beauty anywhere in this Nation.

Very extensive range improvements (fencing, wells, stock tanks, corrals and fifteen cow camps) make proper range management possible.

A far-reaching value of the range is that it would provide a means of reducing numbers of stock on heavily used areas of the Carson and Santa Fe National Forests. This would be of particular benefit to the Pecos Wilderness Area where grazing needs to be reduced to accommodate more recreation-related stock and wildlife, and compensate for progressive loss of range capacity through encroachment of young spruce and fir timber growth in parks and meadows.

Much more could be said of this great area, but the above should convey an idea of its wonderful character and why it should by all means be in public ownership.

Time is of the essence because several private interests are investigating the possibilities of buying the property. Some with the apparent intention of breaking it up into small pieces probably never again to be reassembled.

In conclusion, I wish to present a resolution passed unanimously by the Board of Directors of the Albuquerque Chamber of Commerce.

(The resolution is as follows:)

GREATER ALBUQUERQUE CHAMBER OF COMMERCE

RESOLUTION

Whereas, Land area known as the Vermejo Park in the Northern part of New Mexico has recently been placed on the market, and

Whereas, There has been considerable discussion as to the Federal Government purchasing this area and transferring title and management to the Forest Service for the purpose of preserving this area as a natural resource for scenic beauty, wildlife and recreation, and

Whereas, The Greater Albuquerque Chamber of Commerce has long supported tourist attractions for the State of New Mexico, and

Whereas, It is the feeling of the Great Albuquerque Chamber of Commerce that such an area could become a national attraction for Northern New Mexico and

Whereas, This would create positions of employment in an area where the economy is in need of a "shot in the arm."

Now therefore be it resolved, That the Greater Albuquerque Chamber of Commerce go on record as supporting the purchase of Vermejo Park either by the United States or the State of New Mexico for purposes stated above.

Senator JORDAN. Mr. Kulosa, my Spanish is worse than my French.

STATEMENT OF ERWIN KULOSA, AREA MANAGER, ARIZONA-NEW MEXICO AREA OFFICE, WESTERN WOOD PRODUCTS ASSOCIATION, ALBUQUERQUE, N. MEX.

Mr. KULOSA. I am afraid it is not Spanish, either.

Senator JORDAN. What is that?

Mr. KULOSA. Well, my folks say God only knows.

Senator JORDAN. It is a good name. Fine. Well, we are glad to have you with us and you may proceed as you wish. How long is your statement?

Mr. KULOSA. Mr. Chairman, I think I can summarize my statement in about 10 minutes.

Senator JORDAN. That is good enough.

Mr. KULOSA. Mr. Chairman, Senator Anderson, I am Erwin Kulosa, area manager for Western Wood Products Association in Albuquerque. I will summarize the statement, but I would like to have the entire statement included in the record.

Senator JORDAN. It will be included in its entirety.

Mr. KULOSA. Our association serves in the western lumber producing States and our membership in New Mexico and Colorado accounts for 71 percent of the lumber produced in that area.

It is the policy of the Western Wood Products Association to encourage retention of the maximum possible proportion of land in private taxpaying status. For this and other reasons that follow, we are opposed to Federal acquisition of the Vermejo Ranch.

S. 2699 would withdraw 480,000 acres of land from private taxpaying status and place them in public, nontaxable status. One-third of

our Nation's land, or 755 million acres, is already federally owned. In New Mexico alone over 57 percent or 44 million acres are in Government ownership or control, and that is about one-third more land area than the entire State of North Carolina. This is not unusual in the West. Other Western States are in a similar situation.

S. 2699 would place an additional 362,000 acres or over 19 percent of the privately owned commercial forest land in Federal ownership. There are already over 370 million acres in the 11 Western States devoted to outdoor recreation. This is from the Bureau of Outdoor Recreation statistics.

In New Mexico alone over 27 million acres are devoted to recreational use. That is over 35 percent of the State of New Mexico. What is needed in New Mexico is greater development of already-existing recreational areas, not more public acquisition of acreage.

Management of the property would be seriously complicated because oil, gas, coal, mineral, and timber are leased or owned by other parties on large portions of the Vermejo Ranch.

Senator JORDAN. May I ask a question? Is there any oil being produced on this property now?

Mr. KULOSA. Not that I am aware of.

Senator JORDAN. Any coal?

Mr. KULOSA. Yes; there is a mine on the property. That is that blank area within the property, the unshaded area on the map. That is a 4,000 acre piece of land owned in fee by a subsidiary of the Santa Fe Railroad, and in addition to that Kaiser has coal mining rights on 302,000 acres of the ranch property of which it is said that 25,000 acres is subject to strip mining.

Senator JORDAN. What about other minerals?

Mr. KULOSA. There are minerals owned on the Taos County side, from this line, west. The minerals are owned by a previous owner as well as the gas and oil rights.

Senator JORDAN. Is there not a sizable amount of phosphate mined in New Mexico?

Senator ANDERSON. Potash.

Senator JORDAN. Oh, yes. I know people who are involved in this operation living in Albuquerque and I was wondering about that.

Mr. KULOSA. The gas and oil rights are owned, as I say, on that portion and then there is another 62,000-plus acres under lease to Superior Oil Co.

Senator JORDAN. Has there been any development of oil in there?

Mr. KULOSA. Not that I am aware of—that is, no pumping operation.

Senator JORDAN. They have not struck. When they have drilled have they hit anything?

Mr. KULOSA. I do not have the answer to that question.

Senator JORDAN. Probably not. You would know if there were a sizable quantity of oil coming out.

Mr. KULOSA. In addition to this, Pacific Lumber Co. holds the timber cutting rights on timber over 8 inches in diameter on 362,000 acres of the ranch until the year 1990 with an option to extend it to the year 2000. They have removed about 3 percent of the timber to date on about 10 percent of the area, I am told by the President of that com-

pany. The asking price for the ranch is open to question ; \$26½ million has been quoted.

It is possible that this property is unattractive to other buyers because the rights to coal, gas, oil, and minerals and timber on large portions of the ranch are not part of the property. The outstanding rights to these resources would have to be acquired to insure and protect the larger investment. The counties of Colfax and Taos will sustain a tax loss resulting from the transfer of the Vermejo Ranch to Federal ownership. These counties now receive approximately \$42,000 in taxes. The New Mexico House of Representatives turned down a bill that would have authorized a bond for the purchase of the ranch because of the serious questions regarding the rights and value. The opposition was bipartisan with 20 Democrats and 20 Republicans rejecting the bill.

The Public Land Law Review Commission, created by Congress, in its recommendation No. 87 states, "Acquisition of the additions to Federal multiple-use land for recreation purposes should be limited to inholdings only." Inholdings means private lands within the National Forest boundaries.

If the timber rights are acquired there is substantial acreage of unroaded commercial timber land which we believe would be ultimately diverted to wilderness classification and denied to beneficial multiple-use and sustained-yield management. We believe that Federal acquisition is unwarranted and would place an unreasonable financial burden on the affected counties. Instead of acquisition, we suggest that lands now in Federal ownership be developed appropriately.

We do not believe that the Vermejo Ranch is an essential area of national significance, such as referred to in Public Land Law Review Commission Recommendation No. 88.

We are aware of the broad support given this proposed acquisition by various groups but we feel that they did not arrive at this conclusion after a review of all of the facts. Santa Fe newspapers as recently as February 17, 1972, showed its lack of comprehension by stating in an editorial, which I have attached, that this acquisition would be "a major asset to our national park system," and "someday New Mexico could have a national park on the scale of Yellowstone or the Carlsbad Caverns," a full page ad in the largest New Mexico news exhorts readers to "act now to preserve it forever."

I would like to submit a copy of that advertisement.

Senator JORDAN. You may. It will be included with your remarks. (The advertisement is as follows:)

[From the Albuquerque Journal, Feb. 20, 1972]

VERMEJO

ACT NOW TO PRESERVE IT FOREVER

This year House Bill 11182 and Senate Bill 2699 will come before your elected representatives. They authorize the Federal Government to purchase the fabulous 480,000 acre Vermejo Ranch as an addition to the Carson National Forest of New Mexico.

"One of the most beautiful places in New Mexico is the Vermejo Ranch, located in the high country near the Colorado border. But the ranch, of nearly one-half million acres, is in danger of being lost to undesirable exploitation because the present owners are unable to maintain it and must sell. The owners prefer to sell to the government in order to assure that the area will remain intact and protected for public use, rather than exploited for commercial purposes such as mining and extensive timbering. The sentiment in the Southwest appears to be unanimously in favor of saving the ranch for public use."

Senator Clinton P. Anderson
New Mexico

"I very strongly believe that it would be in the best interests of New Mexico and its citizens if the Vermejo Ranch was purchased by the Federal Government and held in public ownership. I have extensively traveled the Vermejo's land and I know that it would make a wonderful recreational area which all of our people could enjoy."

Governor Bruce King
New Mexico



The Vermejo Ranch is located in the high country between Taos and Raton on the east slope of the Sangre de Cristo Mountains.

In the twenties the ranch was the site of the 'Vermejo Club' - a hide-away for such notables as Douglas Fairbanks, Herbert Hoover, Harvey Firestone, Cecil B. DeMille, Thomas Warner and Harry Chandler, who each paid five thousand dollars for a membership.

Beginning in 1945, Texas businessman W. J. Goutley acquired, expanded and improved the property, operating it not only as a first-rate ranch but also as a superb game reserve.

The vast size of the ranch can only be appreciated by comparisons. It is larger than either Kings Canyon or Sequoia National Parks. It is thirty-three times the size of Manhattan and well over half the size of the state of Rhode Island. The price is as breathtaking as the land itself - \$25,500,000 - but broken down to a per-acre basis, the ranch, with its millions of dollars in improvements, is selling for fifty-five dollars an acre.

The land ranges in type and elevation from 6000 foot grasslands to 13,000 foot snow-capped peaks. Two-thirds of the acreage is forest. Because the land includes some of the finest water-yielding high country in New Mexico, it has priceless value to the surrounding countryside as watershed. Within its boundaries are 100 miles of trout streams. Its 60 mountain lakes have four times the surface area of all the equivalent cold-water lakes in all the National Forests of New Mexico. They alone constitute a superb recreation fishery.

Big game populations are estimated to include 20,000 deer, thousands of wild turkey, 200 pronghorn antelope, mountain lion, bear, an outstanding herd of 5000 elk - and even buffalo. These herds, so carefully cultivated by Mr. Goutley, can be decimated if the property is divided or extensively developed.



Part of the deer herd of about 20,000 animals. The distant peaks are within the boundaries of the huge ranch.

N.M. Tourist Division

Government ownership would not only assure the preservation of the wildlife habitat as a unit, it would also aid local ranchers whose stock could graze the land under permit. As a working ranch the Vermejo has 400 miles of fence, 300 wells, 100 stock tanks, 50 corrals, 15 cow camps, plus 2500 irrigated acres - a cattleman's dream. A multimillionaire rancher or subdivider would close off this valuable resource to the small local rancher who is in real need of grazing space.

At the turn of the century one of the greatest conservation movements in our nation's history resulted in the creation of the vast National Forest System preserving millions of acres of watershed, timber, wildlife habitat and recreation land. To find a huge property today which is ideally suited for addition to this system is almost unimaginable. The Vermejo Ranch presents just such an opportunity. It will not be repeated.

Sponsoring organizations:

Black Mesa Defense
Central Clearing House
Isak Walton League (National)
Los Alamos Chapter, Isak Walton League
N.M. Wildlife and Conservation Association
Friends of the Earth
Sierra Club

Letters should be received by Senator Eastland's Committee before they review the Senate Bill on

FEBRUARY 29

WHAT YOU MUST DO:

Write, in YOUR OWN WORDS, to the congressional delegation from your own state* and to the people listed below urging them to support House Bill 11182 and Senate Bill 2699. PLEASE return the coupon on the right to the Central Clearing House, with a contribution, if possible. (The other coupons have been included for your use only if you cannot find time to write. You are urged to make the time because a letter in your own words carries the maximum impact.)

Honorable George P. Shultz
Director, Office of Management
and Budget
Executive Office Building
Washington, D.C. 20503

Because of the outstanding natural and scenic values of the Vermejo Ranch in New Mexico, I urge its preservation as a part of the National Forest System. I urge you to withdraw your opposition to House Bill 11182 and Senate Bill 2699.

Name _____
Address _____
City _____ State, Zip _____

Senator James O. Eastland
Chairman, Environment, Soil Conservation and Forestry Subcommittee
Senate Office Building
Washington, D.C. 20510

Because of the outstanding natural and scenic values of the Vermejo Ranch in New Mexico, I urge its preservation as a part of the National Forest System. I urge you to support Senate Bill 2699 authorizing the purchase of the ranch by the Federal Government.

Name _____
Address _____
City _____ State, Zip _____

Representative W. R. Poage
Chairman, House Agricultural Committee
Suite 1301 - House Office Bldg.
Washington, D.C. 20515

Because of the outstanding natural and scenic values of the Vermejo Ranch in New Mexico, I urge its preservation as a part of the National Forest System. I urge you to support House Bill 11182 authorizing the purchase of the ranch by the Federal Government.

Name _____
Address _____
City _____ State, Zip _____

Central Clearing House
330 East de Vargas
Santa Fe, New Mexico 87501

I support your efforts to add the Vermejo Ranch to the National Forest System.

☐ I have written letters.
☐ I have sent in the coupons.
☐ Here is a donation to help you in your future work: \$ _____

Name _____
Address _____
City _____ State, Zip _____

Mr. KULOSA. To intimate, as the advertisement does, that the area will not be exploited and has national park potential ignores the many outstanding rights that would render this impossible and would severely complicate even national forest management.

Mr. Chairman, in conclusion, serious questions as to the wisdom of this acquisition must be raised when it is considered that New Mexico will surrender more of its tax base to nonincome producing purposes; that the intended land use is for recreational rather than economic utilization with consequent hardships for the people in the area; that oil, gas, coal, mineral, and timber rights on much of the property in question are already owned by the parties; that the true value of this acquisition is not yet determined; that county jurisdictions involved would lose substantial income devoted now to schools and roads; and that the acquisition of this property has already been rejected by the Legislature of New Mexico because of the questions of rights and values.

There has been a tendency, as noted earlier, for those advocating the Vermejo Ranch acquisition to ignore the realities of the problems, to mask the facts in public statements, and in the final analysis in some degree to misrepresent the case to the people of New Mexico. We trust that an objective review of all of the facts will lead this committee to conclude we are correct.

This proposal, worthy as it may be in some respects, nevertheless, does not demand priority demand for a sizable expenditure of Federal funds for acquisition of more Federal land. This should be rejected.

Thank you very much for this opportunity.

(Mr. Kulosa's prepared statement is as follows:)

Mr. Chairman and Members of the Committee:

I am Erwin Kulosa, Area Manager, Western Wood Products Association. I live in Albuquerque, New Mexico, and I am a professional forester. I appreciate this opportunity to present the views of our members on legislation relating to the Vermejo Ranch.

The Western Wood Products Association serves in the western lumber producing states. Our members and associate members number 285 lumber manufacturing companies, 38 of which are in the Southwest Region comprised of Arizona, New Mexico and Colorado. Our membership in this region produces 592 million board feet or 71 percent of the lumber produced in this region. In fact, our members and associate members produce 40 percent of all of the softwood lumber manufactured in the United States for homes and numerous other products.

It is the policy of the Western Wood Products Association to encourage retention of the maximum possible proportion of land in private tax-paying status. We believe private ownership of land is of benefit generally to the country, and in the case of timber lands, we are certain that private industrial management is to be preferred. Evidence demonstrates that private industrial forest management is doing a far better job than public management. For these and other reasons that follow, we are opposed to Federal acquisition of the Vermejo Ranch.

1. *Withdrawal of Land.*—S. 2699 would withdraw 480,000 acres of land from private tax-paying status and place them in public, non-taxable ownership. One-third of our nation's land—755 million acres—is already federally owned. Still more is in state, county and municipal ownership. In New Mexico alone over 57% or 44 million acres are in government ownership or control. Of the commercial forest area in New Mexico, 69% is in public ownership. S. 2699 would place an additional 362,000 acres, or over 19% of the privately owned commercial forest lands in New Mexico, in public ownership. We advocate the retention

of forest lands in private ownership and protest Federal acquisition of such a significant forest acreage in one state, with significant reduction of the taxable land base.

2. *Recreational Usage.*—While S. 2699 states that the acreage will be managed and protected for public use and enjoyment, under the principles of multiple use and sustained yield, it appears that the primary purpose for acquisition of the Vermejo Ranch is to provide land for "quality" recreation. Yet, there are already over 370 million acres in the 11 western states devoted to outdoor recreation. In New Mexico alone, over 27 million acres are devoted to recreational use. That is over 35% of the state! What is needed in New Mexico is greater development of already existing recreational areas, not more public acquisition of acreage.

3. *Difficulties in Management.*—Management of the property would be seriously complicated because oil, gas, coal, mineral and timber are leased or owned by other parties on large portions of the Vermejo Ranch.

A. A previous owner of the ranch owns all mineral rights, including oil and gas, on 70,000 acres. Oil and gas rights are leased on another 62,853 acres by Superior Oil Company.

B. Kaiser Steel Corporation operates a mine on 4,000 acres owned in fee by a subsidiary of the Santa Fe Railroad wholly within the boundary of the ranch property. In addition, Kaiser has coal mining rights on 302,000 acres of ranch property, of which it is said that 25,000 acres are subject to strip mining.

C. Pacific Lumber Company holds the timber cutting rights on timber over 8 inches in diameter on 362,000 acres of the ranch until the year 1990, with an option to extend to the year 2000. Only 3% of the timber volume has been cut to date; however Pacific fully intends to cut all the permissible remainder before the contract expires.

4. *The Price of the Ranch.*—The asking price for the Ranch (\$26.5 million has been quoted) is open to question. Several persons and companies have considered the purchase of the Ranch, but have not done so. It is possible that this property is unattractive because the rights to gas, oil, minerals, coal and timber on large portions of the Ranch are not part of the property. The value of these rights needs to be considered along with the purchase of the ranch surface. The outstanding rights to these resources would have to be acquired to insure and protect the larger investment. Under Federal ownership, unless the rights are acquired, no revenue would flow to the government except as taxes—and these taxes are already flowing to the Federal and local governments.

5. *Local Tax Losses.*—The counties of Colfax and Taos will sustain a tax loss resulting from the transfer of the Vermejo Ranch to Federal ownership. These counties now receive approximately \$42,000 in real and personal property taxes annually from this Ranch.

Assuming the timber rights are not purchased by the Federal government, the total receipts from the sale of timber on the Carson National Forest would not change. But, Colfax County would be added to the counties receiving funds from the Forest Service. The three economically depressed counties of Mora, Rio Arriba and Taos would also lose money from the 25% fund because they would have to share the fund with Colfax County.

6. *New Mexico Rejected Purchase of the Ranch.*—The New Mexico House of Representatives turned down a bill that would have authorized bonds for the purchase of the Ranch because of the serious questions regarding rights and value, which I have already mentioned. The opposition was bipartisan with 20 Democrats and 20 Republicans rejecting the bill. A memorial for federal acquisition was approved, however, because apparently, the state legislators favor use of Federal funds but not state credit.

7. *Land Law Review Report.*—The Public Land Law Review Commission, created by the Congress, in its recommendation #87 states: "Acquisition of additions to Federal multiple use lands for recreation purposes should be limited to inholdings only." The Report's recommendation (attached in full) is in opposition to the purpose of S. 2699.

8. *Ultimate Withdrawal.*—If the timber rights are acquired there is substantial acreage of unroaded commercial timberland which we believe would be ultimately diverted to wilderness classification and denied to beneficial "multiple-use and sustained yield" management. Already the nation's timber supply is restricted and we think this result would be unsound and counter to the public good.

9. *Acquisition Unwarranted.*—We believe that Federal acquisition is unwarranted and would place an unreasonable financial burden on the affected counties. Instead of acquisition, we suggest that lands now in Federal ownership be developed appropriately. This suggestion is in accord with the Public Land Review Commission recommendation #88 (attached in full) which states:

"After essential acquisitions have been completed, the Land and Water Conservation Fund should be available for development of Federal public land areas". We don't believe that the Vermejo Ranch is an essential areas of national significance.

10. *The Facts vs. Popular Support.*—We are aware of the broad support given this proposed acquisition by various groups, but we feel that they did not arrive at their conclusion after a review of all the facts. The Santa Fe newspaper, as recently as February 17, 1972 showed its lack of comprehension by stating in an editorial (attached) that this acquisition would be "a major asset to our National park system" and "someday, New Mexico could have a National Park on the scale of Yellowstone or the Carlsbad Caverns". A full page ad in the largest New Mexico newspaper exhorts readers to "act now to preserve It Forever". I would like to submit a copy of this advertisement for the record.

To intimate, as the advertisement does, that the area will not be exploited and has National Park potential, ignores the many outstanding rights that would render this impossible and would severely complicate even National Forest management. The ranch has existed and has been protected in its present form under good private land management and ownership, and there is every reason to believe that this can and would be continued.

The forest products industries have formally sought development of a national land use policy since 1967. The confusions and conflicts surrounding the proposed acquisition of Vermejo Ranch indicate why such a policy is essential if we are to make rational judgments.

CONCLUSION

Serious questions as to the wisdom of this acquisition must be raised when it is considered (1) that New Mexico will surrender more of its tax base to non-income producing purposes; (2) that the intended land use is for recreational rather than economic utilization with consequent hardships for the people in the area; (3) that oil, gas, coal, mineral and timber rights on much of the property in question are already owned by other parties; (4) that the true value of this acquisition is not yet determined; (5) that county jurisdictions involved would lose substantial income devoted now to schools and roads; (6) and that the acquisition of this property has already been rejected by the legislature of New Mexico because of questions as to rights and values.

There has been a tendency, as noted above, for those advocating the Vermejo Ranch acquisition to ignore the realities of the problems, to mask the facts in public statements, and in the final analysis in some degree to misrepresent the case to the people of New Mexico. We trust that an objective review of all the facts will lead this committee to conclude we are correct. This proposal, worthy as it may be in some respects, nevertheless does not command the priority demand for a sizeable expenditure of federal funds for acquisition of more federal land. It should be rejected. Thank you for this opportunity to appear and present these views.

(The attachments to Mr. Kulosa's statement are as follows:)

[Editorial from the Santa Fe New Mexican, Feb. 17, 1972]

W. S. RANCH PROPOSAL ALIVE

Although we are disappointed initially, we find little cause for anguish that the state House of Representatives this week killed a measure to purchase the mammoth W. S. Ranch in Northern New Mexico.

In several respects, we think it may be better in the long run that the state chose not to buy the ranch, leaving the public ownership proposal before the federal government.

Opposition to state ownership was based on several legitimate concerns. Some thought \$26 million too much for the state taxpayer to bear. Others thought the price too high. Some Northern New Mexico legislators saw major losses in county property tax revenues should the ranch go from private to public ownership. Others feared state costs to maintain and operate the ranch.

Little, it seems, has been lost because of this defeat. Two public ownership measures are still pending in Congress. Sponsored separately by Sen. Clinton P. Anderson, D-N.M. and Rep. Manuel Lujan, R-N.M., the bills would enable the federal government to acquire the ranch through outright purchase or exchange for other federal lands.

If either federal measure is approved, we envision a major asset to our national parks system. Someday, New Mexico could have a national park on the scale of Yellowstone or the Carlsbad Caverns. A large portion of our natural beauty would be preserved at little cost to New Mexicans. We would have another natural asset to share with the nation, protect our state and bolster our depressed Northern New Mexico economy.

We urge Congress to approve national, public ownership of the W.S. Ranch.

EXCERPTS FROM ONE THIRD OF THE NATION'S LAND, A REPORT TO THE PRESIDENT
AND TO THE CONGRESS BY THE PUBLIC LAND LAW REVIEW COMMISSION

LAND ACQUISITIONS

Recommendation 87: The direct Federal acquisition of land for recreation purposes should be restricted primarily to support the Federal role in acquiring and preserving areas of unique national significance; acquisitions of additions to Federal multiple use lands for recreation purposes should be limited to inholdings only.

The Commission believes that the Federal role as a direct supplier of recreation land suggested by ORRRC, which we endorse, be reflected in its land acquisition policies for recreation purposes. Federal purchases of land should be limited to new national parks, additions to the wilderness system when necessary to round out or protect a unit, additions to the system of national trails and wild and scenic rivers, and of other areas designated as being of national significance, e.g., national seashores.

We have suggested earlier that the states participate more actively and directly in a program to meet regional, interstate recreation needs, and that the current role of the Federal Government in this program be modified to provide financial aid in land acquisition and development. We believe the states should acquire and manage these areas. Adoption of this policy would substantially reduce the current level of Federal expenditures from Land and Water Conservation Fund allocations, and this expenditure would be shifted to support joint Federal-state efforts.

We have recommended that Federal public lands generally administered under multiple-use policy be made available to state, local governments, or private concessioners for intensive use types of development; administering agencies should develop such lands for extensive, resource oriented recreation. *We recommend that additions to these multiple-use lands by direct acquisition for recreation use should be confined to inholdings or boundary adjustments to facilitate resource oriented recreation use of the Federal public lands.*

LAND WATER CONSERVATION FUND

Recommendation 88: The Land and Water Conservation Fund Act should be amended to improve financing of public land outdoor recreation programs. During the interim period until the recreation land use fee we recommended is adopted, the Golden Eagle Program should be continued. After essential acquisitions have been completed, the Land and Water Conservation Fund should be available for development of Federal public land areas.

The Land and Water Conservation Fund was created in 1965 to assure a more certain method of financing both Federal grants of monies to states for recreation, and various Federal recreation programs. The premise of this law is that the fund would be continuously replenished by revenues from fees paid by the users of federally administered recreation areas, and from certain other sources. These replenishment arrangements have not worked well. Income from user fees and charges is running about 10 percent of total annual outlays from the fund, which was budgeted at \$124 million in fiscal 1970. Income to the fund from other sources (motor boat fuel taxes, etc.) has been inadequate to finance the balance,

and, as a result, the fund has operated in debt by borrowing from the United States Treasury since its inception.

We believe that, in the period for which it was established, the Land and Water Conservation Fund should be retained as the principal mechanism for financing both Federal-state aid and Federal land recreation programs. A more reliable means of replenishing the fund to assure its solvency must be adopted. In 1968, Congress amended the L&WCF Act to provide that revenues from Outer Continental Shelf mineral leasing programs could be used to guarantee an annual level of \$200 million to the fund. This provision ends in 1973.

We endorse current legislative efforts to assure that the Land and Water Conservation Fund is maintained at a proper level. The backlog of authorizations for recreation projects makes this mandatory.

We are, however, opposed in principle to the earmarking of Federal receipts and, therefore, do not recommend that the Land and Water Conservation Fund become a permanent vehicle for the financing of public land outdoor recreation programs. It is our belief that, through an accelerated program of funding, the United States can keep its commitments to its citizens for the establishment and development of recreation areas and then rely on the normal appropriation process.

Once acquisition of new sites has been completed, the fund can and should be used for development purposes. The development of facilities on recreation areas fulfills the Government's promise to the people that the areas will be made available.

Finally, we recommend that access to the Land and Water Conservation Fund should not be limited to particular land management agencies having responsibility for outdoor recreation activities. Specifically, for example, we recommend that Bureau of Land Management outdoor recreation programs should be considered eligible on the same basis as other recreation programs for participation in the Land and Water Conservation Fund.

Senator JORDAN. Thank you very much. Your testimony will be fully considered along with the others.

(NOTE. For further information on the above statement see p. 38.)

Senator ANDERSON. I do want to talk about the timber. I think I signed the first contract on a sustained yield basis in the State of New Mexico and we are very much concerned about this.

Senator JORDAN. Fine, thank you very much. I thank every one of you for being with us. This will conclude this hearing.

Thank you. I might announce we have some statements that have not been entered and we will leave the record open for a week for additional testimony to be included.

Thank you.

(Whereupon, at 11:50 o'clock a.m., the hearing was concluded.)

(Additional statements filed for the record are as follows:)

STATEMENT OF HON. MANUEL LUJAN, JR., REPRESENTATIVE IN CONGRESS FROM THE FIRST CONGRESSIONAL DISTRICT OF NEW MEXICO

Mr. Chairman and members of the committee, today, I have the opportunity of supporting a bill, S. 2699, that is of great benefit to the citizens of New Mexico and the United States. The Vermejo Ranch of 480,000 acres, which has always been in private hands, has been put up for sale, and we have the unique chance to acquire it for the Forest Service.

The Ranch contains some of the most scenic areas in the Southwest. It straddles the Continental Divide, and within its borders lies Sangre de Cristo Mountain ranges, sixty high country fishing lakes, over 100 miles of trout streams, and an abundance of wild life. We estimate that 20,000 deer, 4,000 elk and uncounted number of bear, mountain lion and smaller game roam the area. The Ranch creates a setting for an area with one of the highest recreation potentials in the United States; in fact, it is already known for its hunting and fishing.

Along with recreation possibilities, grazing lands capable of supporting over 10,000 cattle should become available to the local population through the National Forest grazing permit system. Two-thirds of the land is covered with harvestable forests, assuring a supply of raw timber for lumber and milling. Furthermore,

the mining potential has not been fully explored. Under a program of multiple use, sustained yield, and quality management, these industries can bring new prosperity to one of the most economically deprived areas in the United States.

Figures indicate that this is not exaggeration. It is estimated that by making the Ranch part of the Carson National Forest, an additional \$80 million will be brought into the area through increased business activity. Of this amount, \$1,596,000 a year will come from the anticipated 9,200 hunters spending \$29 a day, and \$780,000 per annum from 51,000 fisherman days at \$15 a day. In the first year we expect 40,000 visitors for general recreation activities, bringing in \$640,000. This will increase to 90,000 a year by the year 2000.

The acquisition of the Ranch has the backing of not only every conservation group in the State, but the Government of the State of New Mexico, the local livestock producers cooperative associations and the various Chambers of Commerce organizations throughout the State. The people of New Mexico also have demonstrated their eagerness to see this land become part of the public domain; the extensive mail I have received testifies to this.

I believe that we must move expeditiously on this bill. We may never have this chance again and we cannot afford to let it go by. I, therefore, solicit your assistance in this undertaking, and recommend approval. Thank you.

NATIONAL WILDLIFE FEDERATION,
Washington, D.C., February 29, 1972.

Senator JAMES O. EASTLAND,

*Chairman, Subcommittee on Environment, Soil Conservation, and Forestry,
Senate Committee on Agriculture and Forestry, Old Senate Office Building,
Washington, D.C.*

DEAR MR. CHAIRMAN: The National Wildlife Federation welcomes and appreciates the invitation and opportunity to comment upon S. 2699, "To authorize the acquisition of lands within the Vermejo Ranch, New Mexico and Colorado, for addition to the national forest system, and for other purposes."

We should like to commend the authors of S. 2699 for taking this action to preserve in public ownership what we consider to be an outstanding area with highly significant natural values. Further, we hope that the Subcommittee on Environment, Soil Conservation, and Forestry soon will see fit to clear this proposal in order that it can be another conservation accomplishment of the 92nd Congress.

In my conservation career prior to becoming Executive Director of the National Wildlife Federation, it was my privilege and pleasure to administer State wildlife programs in both Arizona and Colorado. As a consequence, I am quite familiar with the Vermejo Ranch and have no doubts that it would make a very valuable addition to the National Forest System. With a wide variance in elevation, this property offers excellent habitat for elk, mule deer, bear, Meriam wild turkeys, grouse, squirrels and antelope in addition to some waterfowl. In addition, the area has an outstanding fisheries resource. With an impressive array of natural resources, this area offers an unusually outstanding opportunity for many types of outdoor recreation such as camping, hiking, mountain climbing, horseback riding and other activities in addition to hunting and fishing. In short, this is a most unique and special area which merits careful management.

We are pleased that your proposal would authorize the acquisition of this property for management under principles of multiple use and sustained yield. We are confident that the Forest Service will give this unusual area special consideration to outdoor recreational values in the priorities for management of it.

We are not testifying in person during the hearings on S. 2699 and would be pleased if you could make this letter a part of the hearing record.

Sincerely,

THOMAS L. KIMBALL,
Executive Director.

WASHINGTON, D.C., March 3, 1972.

Senator JAMES O. EASTLAND,

Chairman, Subcommittee on Environment, Soil Conservation and Forestry, Senate Agriculture Committee, Senate Office Building, Washington, D.C.

DEAR SENATOR EASTLAND: The National Audubon Society wishes to express its enthusiastic support for S. 2699, to authorize the acquisition of lands within the Vermejo Ranch.

Acquisition of this unspoiled tract offers an unparalleled opportunity to preserve a significant remnant of the high country with its abundant natural resources, including an incredible population of fish and wildlife. There are simply a handful of unspoiled large areas like this left, if even a handful, and to let this land be lost to the public would be indeed a shame. We therefore urge the Committee to report this bill favorably, while there is still time to acquire this magnificent property for the American people.

Would you kindly include this letter in the hearing record.

Sincerely,

CYNTHIA E. WILSON,
Washington Representative, National Audubon Society.

STATEMENT OF A. W. LANGENEGGER, PRESIDENT, NEW MEXICO FARM AND
LIVESTOCK BUREAU, HAGERMAN, N. MEX.

The New Mexico Farm and Livestock Bureau with 8,646 member families wishes to express appreciation for the opportunity to present our comments on the acquisition of the Vermejo Ranch by the Federal Government.

Two bills have been introduced, H.R. 11182 (Lujan, R. N.M.) and S. 2699 (Anderson, D. N.M.) which provide for acquisition by the Forest Service of a 480,000 acre tract of land, known as the Vermejo Ranch which adjoins the Carson National Forest.

The New Mexico Farm and Livestock Bureau meeting at their annual convention on November 16, 1971 adopted the following basic policy in regard to state or federal purchase of land—

"Whereas the great part of the land in New Mexico is in public ownership and not on the tax rolls, Therefore Be it Resolved that we are opposed to federal or state acquisition of large tracts of private land. We believe that every effort should be made to keep all possible land in New Mexico in private or corporate ownership so that it may be kept on the tax rolls."

The Board of Directors of the New Mexico Farm and Livestock Bureau reaffirmed this position in a meeting on February 1st, 1972 by specifically opposing the acquisition of the Vermejo Ranch by the federal or state government.

This position was adopted for the following main reasons:

1. Colfax and Taos Counties in New Mexico would stand to lose approximately \$42,000.00 annually in tax revenue.

2. There is now over 44 million acres or over 57% of New Mexico land area in government ownership and control. This is broken down as follows:

	<i>Acres</i>
Federal lands.....	26, 863, 808
State lands.....	10, 945, 418
Tax exempt Indian lands.....	6, 566, 830

Total	44, 316, 056
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57.1% Government owned or controlled.

3. Over 27 million acres, or 35% of New Mexico's land is already devoted to public outdoor recreation (general outdoor, natural environment, outstanding natural, primitive, historic and cultural)

4. Mineral rights (including oil and gas) on approximately 80,000 acres are owned by a previous owner of the ranch.

5. The Kaiser Steel Corporation operates a mine on the property and has coal mining rights in fee on some 250,000—300,000 acres of which it is said that 25,000 acres are strippable. The rights along with other outstanding rights would have to be acquired to insure and protect the larger investment.

6. Pacific Lumber Company owns outright the timber cutting rights on timber over 8 inches diameter on 361,000 acres of the ranch until the year 1990 with an option to extend it to the year 2000. The agreement prohibits cutting along roads and streams. Only 3% of the timber has been cut to date; however, Pacific fully intends to cut all the permissible remainder before the contract expires. There is a reported \$9 million price tag on the cutting rights which is not included in the \$26.5 million.

7. The Department of Agriculture has already submitted an unfavorable report in a hearing before the House of Representatives, Sub-Committee on Forest, Committee of Agriculture in regard to H.B. 11182.

For these reasons we strongly oppose the acquisition of the Vermejo Ranch by the Federal Government.

We appreciate this opportunity to present the views of Farm Bureau members in New Mexico on this important matter.

CARLSBAD, N. MEX., February 18, 1972.

Senator JAMES O. EASTLAND,
*Chairman, Subcommittee on Environment, Soil Conservation and Forestry, U.S.
Senate, Washington, D.C.*

DEAR SENATOR EASTLAND: The enclosed New Mexico State Memorial No. 23 passed our State Senate with only three dissenting votes. The vast majority of our State Senators and the people of New Mexico they represent would heartily endorse to you the purchase of the W. S. Ranch by the United States Government to be under the authorization of the United States Forest Service. I believe the acquisition of this property would result in a terrific contribution for the betterment of our state's economy.

Your consideration and action by your committee would be very much appreciated.

Sincerely yours,

JOSEPH E. GANT,
New Mexico State Senator.

(Note. For the memorial, see page 21.)







