VALLES CALDERA TRUST

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The Honorable Jeff Bingaman
The Honorable Tom Udall
United States Senate
Washington, D.C. 20510

Dear Senators Bingaman and Udall,

In your letter to Daniel Wenk of the National Park Service dated June 24, 2009, you stated "it would be useful to consider potential future management options to best provide for the protection of the Preserve's remarkable resources" and requested the National Park Service (NPS) to assess the potential for inclusion of the Valles Caldera National Preserve into the National Park System. Subsequently, I was advised by your respective staffs that information from the Valles Caldera Trust (VCT or Trust) would also be helpful to you in your analysis of this issue. We believe that the information available in the NPS study, this document, and the GAO audit follow-up will provide you with the insight and information you require to make a knowledgeable assessment of Preserve management.

I note that there have been previous studies of the Valles Caldera which are still relevant to this discussion. Acting in accordance with section 5 of the Act of November 15, 1990 (Public Law 101-556), the Forest Service did an extensive study of what was then called the Baca Ranch. That study, "Report on the Study of the Baca Location No. 1, Santa Fe National Forest, New Mexico" was completed in 1993 and transmitted to the Congress. That study outlined the significant resources of the Baca Ranch, including its renewable resources including grazing and timber. We believe the eventual Federal purchase of the Baca Ranch; its designation as the Valles Caldera National Preserve; and its ultimate management by the Valles Caldera Trust, are a direct outcome of that initial Forest Service study.

CURRENT PUBLIC ACCESS AND USE:

The Preserve is now in its second year of being open to the public seven days a week during the summer season (May – October) with activities for all ages and incomes. Winter activities consisting of skiing, snow shoeing, and sleigh rides are offered when weather and snowpack allow. The Trust provides the public a visitor information facility in the town of Jemez Springs as well as a reception area on the Preserve.

Two of the lodging facilities on the Preserve are available for rent by the public and special events can be arranged upon request. Over 17,000 visitors were recorded in 2008 and revenue totaled approximately $700,000. A new temporary visitor center was purchased in 2009 and located at the staging area of the Preserve and a further expansion of operational hours is scheduled for the 2010 season. Fishing activities are good and revamped programs have been well received by the public, especially those who now drive across the Preserve in their own vehicles. Fly fishing clinics are held for both adults and children. The Preserve offers back country and other destination self-guided hikes, free self-guided hikes along Highway 4, and guided hikes Preserve-wide available on a regular basis. Hiking has been recently expanded to allow unguided and unscheduled visitors to roam the South Mountain and several additional similar opportunities will be offered Preserve-wide for 2010. Marathons, mountain biking, endurance riding, and photo events are gaining in participation. Equestrian and mountain bike opportunities are regularly available throughout the season and an equine endurance event was held this year for the first time. Night sky adventures and stargazing sessions are currently offered and artist days are available for those who appreciate the landscapes. Photography opportunities abound with some having almost unlimited access to the Preserve. Educational workshops and seminars on a variety of subjects are offered as well as overnight birding events. Van tours for 2009 include subjects like archaeology, art, botany, ecology, geology, history and wildlife. Camping on the Preserve is popular and available to participants in organized activities and special events.

The grazing program has progressed from simply grazing cattle contracted to the highest bidder to a cooperative extension program developed between New Mexico State University (NMSU) and the Valles Caldera Trust. Unlike the historic VCT grazing programs, this new collaboration offers a much greater potential for scientific contribution by the Trust and provides superior potential for revenue generation through commercial endorsements and product development activities between the VCT, NMSU, and the private sector. NMSU partners with the Jemez Pueblo and the New Mexico Beef Cattle Performance Association. The centerpiece of this program is the development of high elevation tolerant breeding stock destined for sale to cattle producers in the mountain states. Not only will herd improvement occur, but considerable NMSU extension work and technical assistance is made available to the Jemez region for local ranchers and the Pueblos. To date, the program appears quite successful and the first Valles Caldera Certified registered breeding bull and heifer auction took place October 10th on the Preserve. The program is expected to be long term and will prove to be a major revenue generator for the VCT while providing genetically superior breeding animals and extension services for the mountain states' livestock industry.

Elk and turkey hunting programs are widely acclaimed and successful. The turkey hunts consist of a regular lottery hunt as well as a hosted hunt, in which lodging and meals are provided the hunters. The elk hunt for 2009 resulted in 10,738 lottery chance sales to a total of 3,191

individuals, both resident and non-resident. A total of 250 permits were drawn for the hunts, dispersed over a ten-week period beginning in September.

In science and education, the VCT continues to develop formal and informal educational programs that will serve the American public, from public school children through senior citizen programs. In support of these expanding programs, the Trust has acquired (with revenue funds, not appropriations) an existing facility in Jemez Springs for an education and training center. The facility has 25 bedrooms (50 person capacity), dining hall and institutional kitchen, classroom space, teaching laboratory space, and offices, and is located 15 minutes from the Preserve's southwest corner. This facility will provide overnight lodging for students, teachers, scientists, and other program participants nationwide, and provide needed classroom/laboratory facilities to support field programs.

The overall education program continues to focus on science-related aspects of the Valles Caldera National Preserve (including geology, ecology, wildlife and fisheries management, range management and livestock husbandry, forestry, biodiversity, climate change, hydrology, archaeology), but will also include a wide range of other disciplines (art, photography, history, literature, poetry, music) for which the Valles Caldera provides an inspirational environment. Numerous preliminary programs in both formal and informal education activities have been conducted since 2003, and the Trust is now moving ahead with permanent programs.

The "clientele" of these public programs fall into four main groups:

1. Public school students and teachers (elementary through high school) and college/university students in formal educational classes. The Trust currently collaborates with the 29 rural public school districts in the Northern New Mexico Network for Rural Education (NNMN), hosting summer environmental training courses for high school science teachers. In August 2009, scientists and educators from NM Tech, the NNMN and the Valles Caldera Trust submitted a grant proposal to the National Science Foundation (NSF) to establish a 5-year, $12.5 million science education program for the northern New Mexico public schools, and the summer teacher and student field education programs will be based at the Valles Caldera. Other public school educational programs include environmental science camps for the Santa Fe Indian School, the Northern New Mexico Pueblos (in collaboration with Los Alamos National Laboratory), and the Pajarito Environmental Education Center in Los Alamos. Additionally, recent university-level educational activities hosted by the Preserve include those from Johns Hopkins University, Virginia Tech, University of New Mexico, New Mexico State University, New Mexico Tech, Northern New Mexico College, Highlands University, University of Colorado, University of Texas (Austin), and The Colorado College.

2. Scientific research programs including faculty, staff, graduate and undergraduate students conducted on the Preserve. These projects are generally funded through extramural grants, and take advantage of the extensive scientific inventory and monitoring activities conducted on the Preserve by Trust science staff. In 2008, there were 32 permitted research projects with an annual cumulative budget of ~$1.6 million. In addition, two new major NSF-funded grants that use the Preserve for study areas began in 2009: The 5-year, $15 million Experimental Program to Stimulate Competitive Research (EPSCoR) grant to the universities in New Mexico (administered through the University of New Mexico) and a 5-year, $4.35 million grant to the University of Arizona for the establishment of a "Critical Zone Observatory" on the Preserve.

3. Organized volunteer groups that participate in ongoing science projects on the Preserve, along with general public participants in informal workshops and theme-oriented or special-topic classes. These include such volunteer groups as the Sierra Club, who provide volunteer field personnel to sample vegetation for ecosystem production and herbivore utilization (elk and livestock), and environmental groups that perform beneficial volunteer work on the Preserve. For example, we have hosted WildEarth Guardians, the Albuquerque Wildlife Federation, and the Boy Scouts of America for weekends of old livestock fence removal on the Preserve.

4. Private, corporate, non-governmental organizations, and government retreats and training programs. Businesses and agencies often need secluded facilities to run employee training programs, planning workshops, and special-topic seminars, and the VCT center will be ideal for this type of activity.

The Trust has developed a financial plan for operating the proposed facilities and the programs. Overnight lodging and food service revenues will allow the educational program to achieve 100% cost-recovery when the facilities reach 45% capacity. School program expenses can be defrayed via grants, and such grants are being prepared in cooperation with New Mexico universities and colleges. The Trust believes that the continued development and expansion of Valles Caldera public education programs, now with suitable support facilities, will provide an outstanding experience for the American people and ensure that the Preserve becomes a sustainable national resource in research and educational programs for science, natural resource management, and other academic disciplines.

The Trust continues to provide additional interim public access and use programs as conditions and budgets allow. The major inhibiting factor has been the preparation of an environmental analysis to allow for the comprehensive management of Public Access and Use, as in an Environmental Impact Statement (EIS). This major planning effort is currently underway and expected to be finalized in late summer 2010. The completion of the EIS is expected to analyze

alternatives for the development of the infrastructure at different levels of capacity to greatly support and enhance public access possibilities on the Preserve and increase the number of activities made available to the public.

ISSUES FOR CONSIDERATION:

Valles Caldera Preservation Act: This enabling legislation is defective and needs to be modified if the viability of land management by the Trust is to be objectively assessed. The Act's goals and objectives are conflicting, and the tools needed for compliance with the law's mandates and other provisions are not provided. While revenue generation is very important to the Preserve, the requirement that the Trust be financially self-sustaining is impossible to achieve and, along with other dysfunctional elements of the Act, should be removed and/or modified.

Pueblos: The provisions of section 105(g) of the Act pertaining to Native American use of Redondo Peak needs to be retained in law. The future of the Preserve is a very delicate issue with the Pueblos, especially the Pueblo of Jemez. The current management structure works well with the Pueblos and a close relationship has developed between the parties. Members of Jemez Pueblo have already expressed concern over any potential change in management that might be proposed. The Pueblo's access to the top of Redondo Peak and exclusive access to other areas of the Preserve from time to time for their religious and cultural traditions are critical to management's relationship with the Pueblo.

Livestock Operations: This program was the result of considerable work on the part of the Trust and NMSU and needs to be long term in nature to be successful. Local producers and the livestock industry in general would be adversely affected if the program is not continued and potential economic benefits would be lost.

Hunting Programs: The Trust provides and manages some widely acclaimed hunting programs (elk and turkey) without creating a hazard for or completely closing the Preserve to the general public. This requires the Preserve, as a public safety measure, to restrict public access on approximately 80% of the property for ten weeks beginning September of each year. Other management regimes may not be allowed to restrict any access to the general public in order to allow fewer than 25 hunters per week to hunt during the hunting season. Those advocating an open gate and expanded hunting opportunities are apparently not aware of the safety issues involved in expanding this activity on a property as small as the Preserve and the adverse effect it would have on the numerous ongoing programs for the public such as recreational and science and education activities.

Infrastructure: Accumulated deferred maintenance for Preserve buildings is in excess of $1.2 million and growing. Roads and structures are in generally fair to poor condition and extensive investment is required to bring everything up to optimal condition. All the buildings were built for fair weather and are not economically inhabitable under sub-zero temperatures during the winter months. Considerable damage occurs to the interiors of buildings each winter from rodent populations which are impossible to keep out.

Budgeting: Budgets have been funded in past years through nominal appropriated funds included in the U.S. Forest Service (USFS) budget augmented by Congressional "earmarks" to the appropriations for the USFS. Tables 1 and 2 show projected revenue and spending (including revenue fund) for FY2010. Please notice that inventory, monitoring, and stewardship compliance accounts for over $1,250,000 of the annual budget. These appropriations are necessary to manage the land and it is not clear how dissolving the Trust will necessarily obviate the need for continuing appropriations. Indeed, it must be considered whether a different management regime by the Park Service or the Forest Service would necessitate an even higher level of appropriations.

Visitation: This is an area where many try to find issue with the Trust and compare the difference in visitation between the Preserve and other properties such as Bandelier National Monument. Many factors are responsible for the differences in visitation between the Preserve and other properties and it is impossible to make valid comparisons between them. Contrary to the practice of some other federal agencies, the Trust only counts the visitors who physically enter a facility. There are thousands of visitors annually who come to view the Preserve's landscape and wildlife from State Highway 4 pullouts that are not counted. These pullouts are within the Preserve's boundary, maintained by the Trust, and are within a portion of the Jemez Mountain Scenic Byway Corridor. Visitors stopping at these pullouts would have been counted by NPS or USFS management. Further impacting visitation, the Preserve is usually closed from December through April when only a few winter activities with low participation are available to the public.

The absence of a genuine visitor center with facilities severely affects the ability of the Trust to attract visitors and many drive-bys will not enter the Preserve due to the lack of a destination facility and paved roads (many visitors exhibit a reluctance to drive low-clearance cars on gravel/dirt roads). Imagine the visitation numbers at Bandelier if the paved access, cliff dwellings and visitor facilities were suddenly removed? Also, to accommodate a visitation similar to Bandelier's 250,000 visitors on the Preserve during the limited season would require receiving approximately 36,000 visitors per month (with no facilities), which would not be compatible with the activities and programs available to the public. If this number of visitors (>1,000 per day) and vehicles were provided unrestricted access, the Preserve's natural and cultural resources would be severely damaged.

The Preserve is surrounded by 1.6 million acres of Santa Fe National Forest and adjoins Bandelier National Monument (NPS). Through the facilities and space provided by these two entities, ample opportunities for camping, hiking, fishing, etc. are already available to the public in the immediate vicinity of the Preserve. Does the public really want just more trails or campgrounds? We believe the great majority wants much more and would rather see the structured access and activities now available on an expanded basis which will be facilitated upon completion of the EIS. Also, our science and education opportunities provide value to the entire nation, and were easy to integrate with ongoing recreational activities. Such compatibility may not be the case with other forms of management (e.g., exceedingly high visitation rates and unrestricted vehicle access).

Activity and Access Fees: This is an issue with some critics who feel that the Preserve was bought with their money and that access should be free or at a very minimal cost to them. This was not the basis on which the Preserve was legislated, as reasonable (market) fees were expected to offset the dependency on the taxpayer. We feel that the fees currently charged are reasonable and would certainly state that the income is a great source of funds for re-investment into the Preserve. In 2009, the Trustees approved the investment of revenue funds in the following projects:

EIS Public Access and Use	$440,000
Marketing and Website Upgrade	$160,000
Loop Road Upgrade	$900,000
Science and Education Center Furnishings and Lease	$420,000
Infrastructure Repairs	$855,000

Without the revenue income, these projects would not have been possible due to a lack of appropriated funding.

Table 3 illustrates the Fee Schedule approved by the Board of Trustees for 2010.

Interagency Dependency on Forest Service: The Act calls for the Preserve to revert to the USFS should the Trust be dissolved. For this reason, since inception the Trust has relied on the USFS for many required services, most at little or no cost. These services are substantial in scope and need to be mentioned in order to show a clear picture of what would have to be provided the Preserve in the event a different agency assumes management and budgetary responsibility.

Forest Service assistance to Preserve operations include forestry, fire suppression and control, prescribed burn planning and implementation, fire training and certification management, law enforcement, infrastructure maintenance, construction, technical assistance, engineering services,

legal counsel, data sharing, land adjustment issues, boundary surveys, health and safety training and over sight, wildlife technical support, and legislative affairs support.

Forest Service assistance to VCT administrative operations include human resources, budgeting, purchasing, accounting and audit, oversight, policy compliance, training, FOIA, and property management.

Forest Service collaboration with VCT science and education activities include research funding from the Rocky Mountain Research Station, natural resource inventories of forests and grasslands in USFS database formats, cross-boundary monitoring of forage production and utilization using consistent field sampling techniques, and research studies on fire effects on grasslands and forests on the VNCP.

These functions are essential for any governmental entity whether it is a governmental corporation like the Trust, or an agency such as the Forest Service or the Park Service. If the Park Service assumes management, we assume these costs will thereafter be covered by the Park Service.

Management: A few critics of Trust management imply that the management is not a "professional organization", which is totally misleading. The governing board consists of professionals with expertise in seven different specializations, as prescribed in the Act. They are appointed by the President and sometimes referred to as "political appointees", but I have not seen any evidence of the Board following or promoting a political agenda. In addition, the Superintendent of the Bandelier National Monument (NPS) and the Supervisor of the Santa Fe National Forest (USFS) are active members of the Board of Trustees. The staff consists of individuals with years of USFS and other governmental agency backgrounds as well as substantial experience in the private sector.

In closing, the Trust has made great strides in converting this private ranch into a National Preserve under federal guidelines and requirements with the legislation that was provided. The Trust acknowledges that some mistakes have been made but there are many success stories also. The Trustees believe the Preserve is being managed trying to comply with the law and in a direction to best serve the public, the region, and the nation. Valles Caldera management was legislated to be different from other federal properties. The science and education programs along with the recreational activities offered and projected for the future require a unique

management regime if this National Preserve is to provide maximum value to the public and comply with the purposes for which the ranch was purchased.

Please let me know if additional information is required.

Sincerely,

Gary D. Bratcher
Executive Director
Valles Caldera Trust

cc: **Congressman Ben Ray Lujan**,
New Mexico Third Congressional District
Corbin L. Newman, Jr., Regional Forester
Southwestern Region
Michelle D'Arcy, Landscape Architect, RLA,
PMP National Park Service, Intermountain Region

TABLE 1

REVENUE CENTER	FY2010 PROJECTION
HIKING	$30,000
FACILITY RENTALS	$120,000
FISHING	$70,000
HUNTING	$285,000
SPECIAL EVENTS	$50,000
SUMMER RECREATION	$80,000
STORE SALES	$65,000
SPECIAL USES	$30,000
LIVESTOCK MGMT.	$30,000
WINTER RECREATION	$25,000
QUARTERS PROGRAM	$25,000
TOTAL PROJECTION	$810,000

TABLE 2

2010 PROJECTED SPENDING

ACCOUNT	DESCRIPTION	FY 2010 PLAN	FUND	FUND
			VCVC	VCNP
VCVCAD	PRESERVE ADMIN	$1,822,390	$1,822,390	
VCVCIM	INVENTORY/MONITORING	$825,564	$825,564	
VCVCCE	COMMUNITY ED.	$22,725	$22,725	
VCVCPO	PRESERVE OPERATIONS	$599,255	$599,255	
VCVCPN	STEWARDSHIP COMPLIANCE	$426,426	$426,426	
VCVCPS	PUBLIC ACCESS/USE MGMT.	$160,772	$160,772	
VCVCFF	FORESTRY/FIRE MGMT.	$83,085	$83,085	
VCVCGR	LIVESTOCK MGMT.	$14,771	$14,771	
VCNPSU	SPECIAL USES	$21,300		$21,300
VCNPHU	HUNTING	$93,700		$93,700
VCNPSE	SPECIAL EVENTS	$56,140		$56,140
VCNPBB	HIKING	$73,800		$73,800
VCNPSR	SUMMER REC.	$185,022		$185,022
VCNPFS	FISHING	$46,394		$46,394
VCNPSS	STORE SALES	$202,540		$202,540
VCNPWR	WINTER REC.	$55,880		$55,880
VCNPAD	WEBSITE/ADVERTISING	$240,000		$240,000
VCNPFR	FACILITY RENTALS	$119,340		$119,340
VCNPCF	SCIENCE/ED - CENTER	$379,960		$379,960
VCNPFF	FACILITIES FACELIFT	$800,000		$800,000
VCNPLD	ROAD UPGRADE	$900,000		$900,000
		$7,129,064	$3,954,988	$3,174,076
				$7,129,064

Valles Caldera National Preserve
Fee Schedule

	Adults	Discount Categories: Kids (Under 4)	Children (15 and under)	Senior Citizen (62 and over)	Quantity Discount	
Hiking						
Self-guided Trails from Highway 4	Free	Free	Free	Free	Free	
Self-guided trails from Valle Grande Staging Area	$5.00	Free	$5.00	$5.00	$5.00	Group of 8 or more
Self-guided Trails (requiring a van ride)	$10.00	Free	$5.00	$8.00	$8.00	Group of 8 or more
Guided Hike Fees	$15.00	Free	$7.50	$12.00	$12.00	Group of 8 or more
Guided School Groups - 4th-6th grades	N/A	N/A	N/A	N/A	$3.00	3 adults per group are free - all others pay
Guided School Groups - 7th-12th grades	N/A	N/A	N/A	N/A	$5.00	full public price.
Van Tours						
Spontaneous (casual visitors)						
One Hour Tour per person	$5.00	$5.00	$5.00	$5.00	N/A	
Reservation Based						
Two Hours Long	$20.00	N/A	$16.00	$16.00	N/A	
Three Hours Long	$25.00	N/A	$20.00	$20.00	N/A	
Four Hours Long	$30.00	N/A	$24.00	$24.00	N/A	
Five Hours Long	$35.00	N/A	$28.00	$28.00	N/A	
Six Hours Long	$40.00	N/A	$32.00	$32.00	N/A	
Fishing - San Antonio Creek						
Reservation Based						
Per Angler	$35.00	N/A	$25.00	N/A	N/A	
Fishing - East Fork						
Reservation Based						
Per Angler	$35.00	N/A	$25.00	N/A	N/A	
Guide Fees - per year	$300.00	N/A	N/A	N/A	N/A	
Additional fee per guided angler, per day	$35.00	N/A	N/A	N/A	N/A	
Elk Hunting						
Lottery Based						
Per Lottery Ticket for mature bull/either sex tags	$30.00	N/A	N/A	N/A	2 for $50	5 for $100
Additional Guest for mature bull/either sex tags	$250.00	N/A	N/A	N/A	N/A	
Per Lottery Ticket for antlerless tags	$20.00	N/A	N/A	N/A	3 for $50	
Per Lottery 2 person ticket for antlerless tags	$40.00	N/A	N/A	N/A	3 for $100	
Additional Guest for antlerless sex tags	$150.00	N/A	N/A	N/A	N/A	
Outfitter/Guide Fee						
Per Outfitter	$300.00	N/A	N/A	N/A	N/A	
Per Each Guide assigned to assist	$50.00	N/A	N/A	N/A	N/A	Trust requires one guide per hunter.
Late Season Hunts - sold by the NMDG&F online first come/first served	$300.00	N/A	N/A	N/A	N/A	
Turkey Hunting						
Lottery Based						
Per Lottery Chance	$20.00	N/A	N/A	N/A	4 for $50	No limit on number of chances purchased
Deluxe Hunt Package (includes meals & lodging)	$1,950.00	N/A	N/A	N/A	N/A	
Guest (fee to cover room & board)	$600.00	N/A	N/A	N/A	N/A	
Skiing & Snowshoeing						Free for kids 5 years and younger.
Free trails from Highway 4	Free	Free	Free	Free	Free	
Public Appreciation Days	Free	Free	Free	Free	Free	
Day Pass per person	$10.00	N/A	$5.00	$8.00	N/A	

Valles Caldera National Preserve
Fee Schedule

	Adults	Discount Categories: Kids (Under 4)	Children (15 and under)	Senior Citizen (62 and over)	Quantity Discount
Equestrian Events					
Reservation Based					
Per Horse	$10.00	N/A	N/A	N/A	N/A
Mountain Bike Trail Riding					
Reservation Based					
Per Bike	$10.00	N/A	N/A	N/A	N/A
Astronomy Tours					
Reservation Based					
Per Person	$20.00	Free	$10.00	$16.00	N/A
Special Events					
Reservation Based					
Cruise the Caldera Fun Mountain Bike Ride	$20.00	Free	$10.00	$16.00	N/A
Run the Caldera Marathon	$60.00	N/A	N/A	N/A	N/A
Run the Caldera Half Marathon	$40.00	N/A	N/A	N/A	N/A
Run the Caldera 10K					
Run the Caldera 5 K					
Youth Fly Fishing Clinic	N/A	N/A	$15.00	N/A	N/A
Adult Fly Fishing Clinic (includes lunch)	$75.00	N/A	N/A	N/A	N/A
Photo Adventures (per lottery ticket)	$25.00	N/A	N/A	N/A	N/A
Outdoor Skills Workshops	$30.00	N/A	N/A	N/A	N/A
Moon Light Skiing per person	$15.00	N/A	$10.00	$12.00	N/A
Caldera Classic X-C/Snowshoe Race					
Other Events					
Special Event Camping					

	Fee Per Day	
Filming		
Filming (shooting days)	$3,500-5,000	Fee for use of the Preserve is based on the scale of the production.
Prep and clean-up days	$1,000.00	
Staff Administrative time	$500.00	
Still Photo Shoots		
Shooting days	$1,000-3,500	Fee for use of the Preserve is based on the scale of the production.
Prep and clean-up days	$500.00	
Staff Administrative time	$250.00	