

Las Animas County



Board of County Commissioners

Gary D. Hill
Chairman Pro Tem

Jim D. Montoya
Chairman

James Vigil
Commissioner

April 21, 2009

Colorado State Senate
Senate Agriculture & Natural Resources Committee
Colorado State Capitol
200 East Colfax Avenue
Denver, CO 80203

Dear Senate Agriculture & Natural Resources Committee Members:

On behalf of the citizens of Las Animas County, this Board extends its appreciation to you for your consideration of HB 09-1317, and respectfully requests your support for passage of this bill.

The threat of the expansion of the U.S. Army's Pinon Canyon Maneuver Site (PCMS), located entirely within Las Animas County, has been an ongoing concern for the past four years. Despite the U.S. Army's failure to make its case to the United States Congress on justification of its need for the expansion of the PCMS, it continues to pursue an expansion. Further, those efforts by the U.S. Army continue in direct contravention of a law enacted by Congress in 2008 that placed a moratorium on the expansion issue.

The United State Congress also ordered the U.S. Army to document and prove up its need for expansion of the PCMS and submit its justification to the General Accounting Office. Subsequent analysis by the General Accounting Office reflects that the U.S. Army has failed to justify the need for expansion of the PCMS.

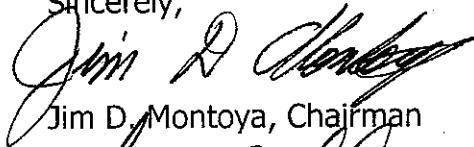
In 2007, the Colorado Legislature passed, and Governor Ritter signed into law HB 07-1069, that withdrew consent by the State of Colorado for the federal government to acquire land within Colorado by means of eminent domain for military training purposes.

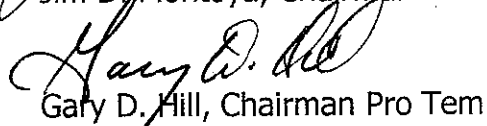
Despite all of the foregoing efforts to date to persuade the U.S. Army to terminate its pursuit of expansion, the U.S. Army continues to seek out acquisition of land for the expansion of the PCMS. HB 09-1317, now before your Committee reinforces the position of the State of Colorado taken in 2007, and would preclude the U.S. Army from acquiring State-owned land for expansion purposes.

Your support is sought for the passage of HB 09-1317, in an effort to bring the U.S. Army's expansion of the PCMS to a conclusion so that the land owners within the area of interest may live their lives and pursue their livelihood without the continued threat of expansion of the Pinon Canyon Maneuver Site.

Attached to this letter, please find a copy of the formal Position Statement of this Board, adopted in January of this year, reflecting opposition to expansion of the PCMS. On behalf of the citizens of Las Animas County, this Board extends its appreciation for your support of passage of HB 09-1317.

Sincerely,


Jim D. Montoya, Chairman


Gary D. Hill, Chairman Pro Tem


James Vigil, Commissioner

Las Animas County



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**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LAS ANIMAS COUNTY, COLORADO
RESTATING AND REAFFIRMING ITS DECLARATION OF OPPOSITION
TO THE PROPOSED EXPANSION OF PINON CANYON MANEUVER SITE
IN LAS ANIMAS COUNTY, COLORADO
&
REQUESTING THE U.S. CONGRESS TO IMPOSE A PROHIBITION UPON
THE U. S. ARMY BARRING IT FROM FURTHER CONSIDERATION OF
EXPANSION OF THE PINON CANYON MANEUVER SITE
RESOLUTION 09-15**

Whereas, The United States Army established the Pinon Canyon Maneuver Site in Las Animas County in 1984, comprised of approximately two hundred and forty thousand acres of land for the purpose of creating a training facility for U. S. Army personnel stationed at Ft. Carson; and

Whereas, The U.S. Army and Ft. Carson have sought Congressional approval for expansion of the Pinon Canyon Maneuver Site to enhance its training program for additional soldiers being stationed at Ft. Carson and its expanded military training mission; and

Whereas, The expansion of the Pinon Canyon Maneuver Site would result in the displacement of land owners and additional land being taken out of private ownership thereby resulting in further negative social and economic impact to the citizens of Las Animas County, Colorado; and

Whereas, Since the establishment of the Pinon Canyon Maneuver Site in 1984, Las Animas County has incurred economic losses since the establishment and operations of the Pinon Canyon Maneuver Site; and

Whereas, The U.S. Army was obligated by enactment of federal law, to justify to the U.S. Congress, General Accounting Office, the need for any expansion of the Pinon Canyon Maneuver Site.

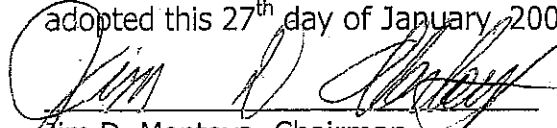
NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF LAS ANIMAS COUNTY, COLORADO, THAT:

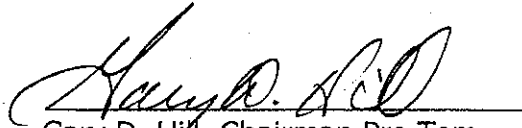
The Board of County Commissioners hereby restates and reaffirms its declaration of opposition to the expansion of the Pinon Canyon Maneuver Site, as proposed by the U.S. Army, for the following reasons:

1. that the U.S. Army has failed to provide justification to the General Accounting Office of the U.S. Congress, and to the Citizens of Las Animas County, for its need for the expansion of the Pinon Canyon Maneuver Site; and
2. that the U.S. Army has not agreed to refrain from use of eminent domain to acquire private land for expansion of the Pinon Canyon Maneuver Site; and
3. that the U. S. Army has not committed to fund a thorough and object socio-economic study of the impacts that would be experienced as a result of any expansion of the Pinon Canyon Maneuver Site; and
4. that the U. S. Army has not committed to provide financial compensation to all local governmental entities that would be economically impacted by any expansion of the Pinon Canyon Maneuver Site, including this County, and affected towns, school districts, special districts, etc.

BE IT FURTHER RESOLVED, THAT the Board of County Commissioners of Las Animas County, Colorado, respectfully requests that the U.S. Congress makes a finding that the U.S. Army has failed to justify the need for expansion of the Pinon Canyon Maneuver Site and therefore enacts into law, a prohibition upon the U.S. Army barring it from any further consideration of expansion of the Pinon Canyon Maneuver Site and to make permanent the funding ban on expenditure of any federal appropriation for land acquisition.

Upon a motion made and seconded, and an affirmative vote, this Resolution was adopted this 27th day of January, 2009.


Jim D. Montoya, Chairman


Gary D. Hill, Chairman Pro Tem


James Vigil, Commissioner

Attest:


Bernard J. Gonzales, County Clerk & Recorder

Las Animas County



Board of County Commissioners

Gary D. Hill
Chairman Pro Tem

Jim D. Montoya
Chairman

James Vigil
Commissioner

April 23, 2009

**Colorado State Senate
Senate Agriculture & Natural Resources Committee
Colorado State Capitol
200 East Colfax Avenue
Denver, CO 80203**

Dear Senate Agriculture & Natural Resources Committee Members:

I apologize for not being able to testify in person due to other pressing commitments in our community.

I would like to address 2 issues: First is the negative economic impact that sales of state lands in Southeast Colorado to the Army would have on landowners and on our county, And, Second is the feelings toward the military by the citizens of our county.

When the Army publicly announced they wanted to expand Pinon Canyon, it created a toxic cloud over Las Animas County. That toxic cloud is Eminent Domain. Whether the threat of Eminent Domain is Real or Implied, it stops investment in the entire area. Ranchers can't invest in new corrals, barns, water systems, etc., if they fear that their land is going to be lost by eminent domain.

In addition, Eastern Las Animas County is well suited for generation of electricity by wind power. However like the ranchers, investors are not going to put capital into wind generation or the necessary transmission lines as long as there is a threat of eminent domain hanging over the area. This lack of investment in the last few years has had a negative impact on our county due to lower property values and hence property taxes, lower sales tax revenues, new and exciting jobs not being added to our

community. The sale of State Lands to the Army only increases the threat of Eminent Domain and the further devaluing of property values.

I want to emphasize that our opposition to the expansion of Pinon Canyon has nothing whatsoever to do with an anti-military stance. The ranchers in the expansion area are tremendously patriotic; a lot of them are military Veterans. I myself proudly served in the United States Marine Corps and did a tour of duty in Vietnam. I find it somewhat ironic that I spent 13 and ½ months in Vietnam helping protect the rights and freedoms of those people whom I did not even know, and now I find myself helping protect the rights and freedoms of friends and neighbors against the military I once so proudly served.

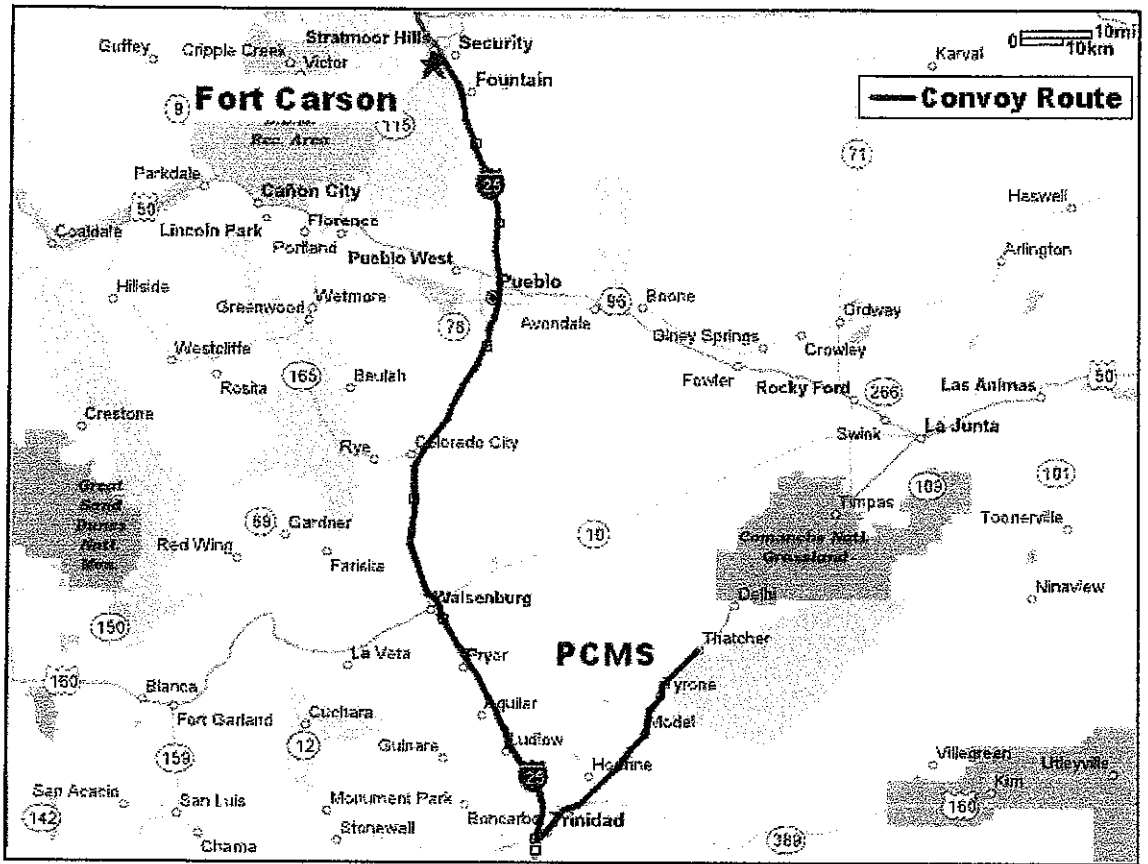
Let there be no doubt that those of us testifying here today support and admire our fighting men and women. We want them to be the best trained military in the world. The Army however, has never been able to document or justify that the expansion of Pinon Canyon is required to provide that training.

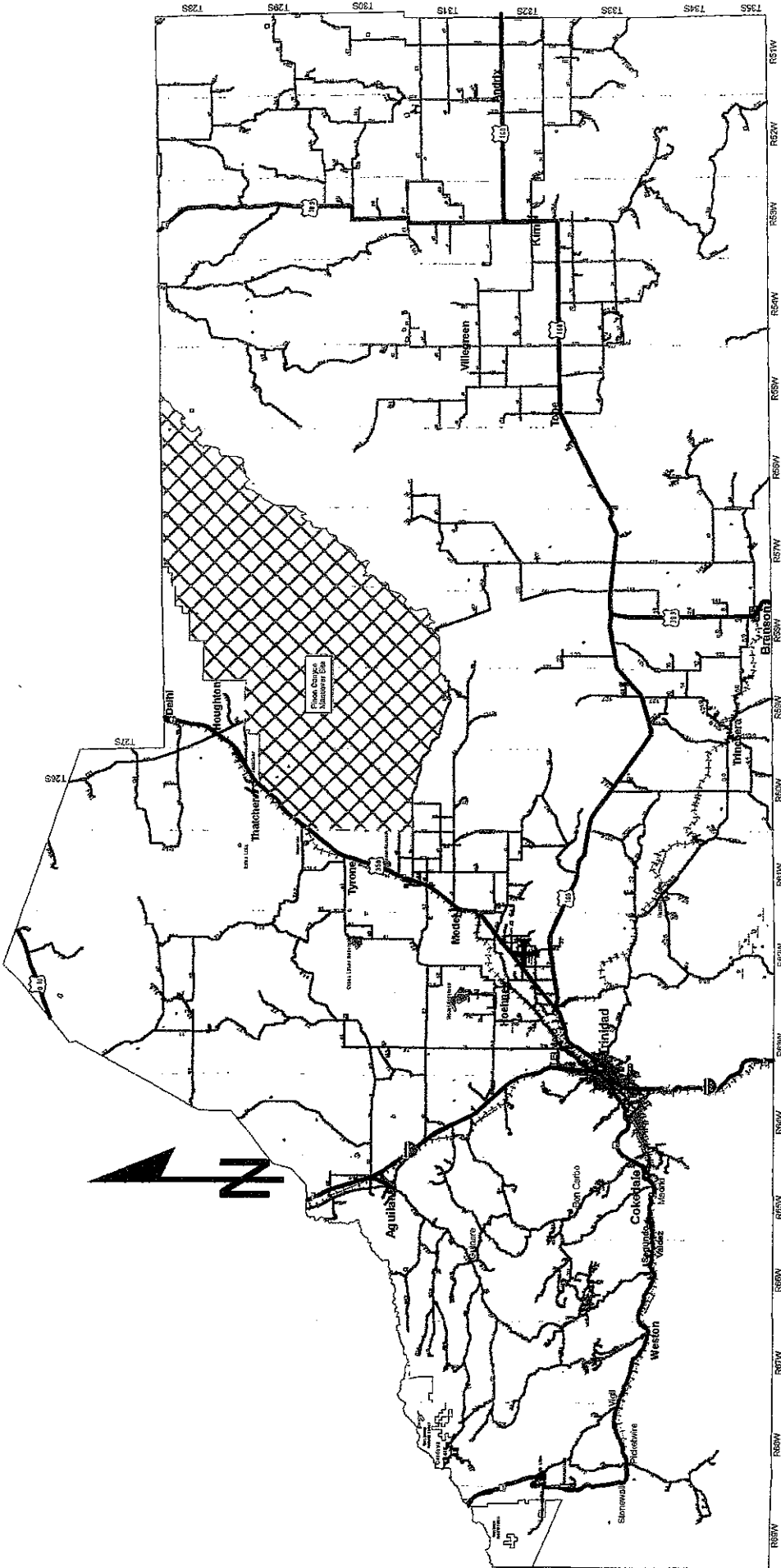
In conclusion, I ask you to support this bill so that the existing threat of Eminent Domain is not increased by the sale of State lands to the Army as it relates to the expansion of Pinon Canyon.

Thank you for your patience,

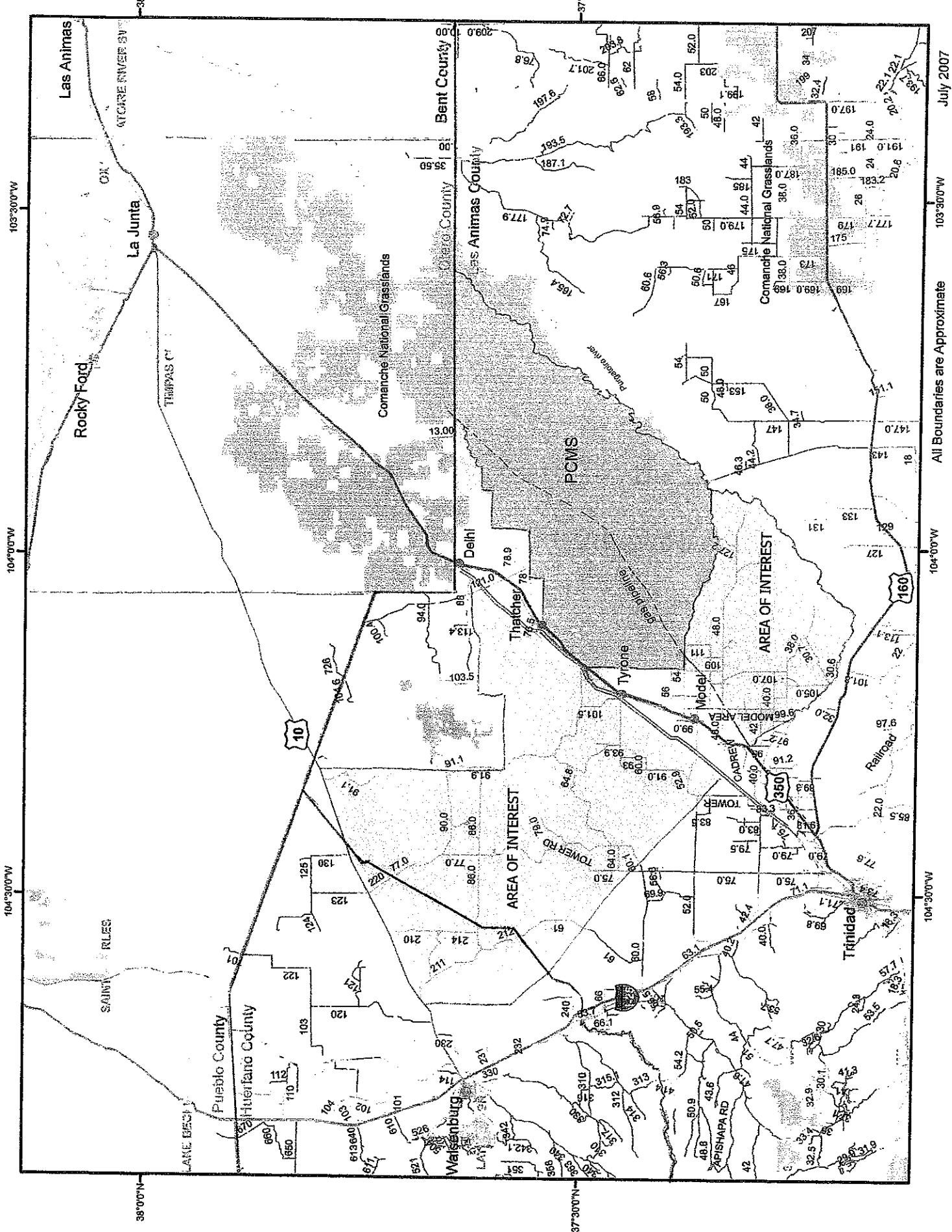

James Vigil
Las Animas County Commissioner

Figure 2-1. The PCMS Location and Convoy Route from Fort Carson to the PCMS





LAS ANIMAS COUNTY, COLORADO



LEGEND

**AREAS SHOWN IN LIGHT GREEN
APPROXIMATE LOCATIONS OF
STATE-OWNED PARCELS**

**AREAS SHOWN IN BLUE
APPROXIMATE LOCATIONS OF
BUREAU OF LAND MGT.
PARCELS**

**LINES SHOWN IN RED
APPROXIMATE LOCATIONS OF
COUNTY ROADS**

**Pinon Canyon
Manuever Site**

**AREA OF INTEREST
FOR EXPANSION
OF THE
PINON CANYON
MANEUVER SITE**

