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December 18, 2009

Mitch Ellis, Complex Manager
Southwest Arizona National Wildlife Refuge Complex
9300 East 28th Street
Yuma, AZ 85365

Mr. Ellis,

This is a comment on the U.S. Fish and Wildlife Service proposal – in partnership with the Arizona Game and Fish Department – to conduct maintenance at High Tank #3 in the Kofa Wilderness in the spring of 2010.

The Service proposes what it calls “broad scale management in wilderness” (p. 4 of minimum requirements document) that includes both a helicopter to ferry men and equipment to the site and gas-powered equipment to complete the work. This is outside the definition of wilderness in the Wilderness Act in Section 1 (c), where “the earth and community of life are untrammled by man” and where “undeveloped Federal land” retains “its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man’s work substantially unnoticeable.”

Moreover, maintaining water tanks (structures) with motorized equipment violates the Fish and Wildlife Service’s duty to maintain the wilderness character of the Kofa Wilderness (as expressed in 16 U.S.C. 1133(b)), and by definition, cannot fall within the administrative exception in Section 4(c) (as expressed in 16 U.S. 1133(c)). In addition, given the nature and significant environmental impacts of the action, such activity cannot be approved without proper environmental review under NEPA. Among other things, NEPA review is necessary here in order to allow consideration of the evidence that sheep do not use these tanks to begin with, and that the tanks are having unintended consequences to other wildlife populations in the area. See

<http://wildernesswatch.org/issues/guzzlersfailtoattractbighorns.html>

In addition, the Service should solicit public comments on proposed projects in wilderness in good faith and in a timely manner before projects are approved and

scheduled for implementation. In this case, Wilderness Watch's executive director, George Nickas, contacted the Service after reading about the project on the Arizona Desert Bighorn Sheep Society website and more than a week before the Service officially published its December 1 news release.

In short, Wilderness Watch submits that the proposed decision violates the Wilderness Act and NEPA and should be rejected.

Jeff Smith
Wilderness Watch
P.O. Box 9175
Missoula, MT 59807
(406) 542-2048