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1611 N. Second Ave.  
Ajo, AZ 85321

### Sent by email and hard copy (on letterhead)

Dear Mr. Slone:

Wilderness Watch is providing these comments on the Draft Environmental Assessment Cabeza Prieta National Wildlife Refuge Sonoran Pronghorn Supplemental Water and Forage Project.

Wilderness Watch is a national citizens organization dedicated to the protection and proper stewardship of America's National Wilderness Preservation System. Our members use and enjoy the Cabeza Prieta Wilderness (CPW) for a variety of recreational pursuits, and they draw inspiration from the idea that a large piece of the Sonoran Desert has been preserved as Wilderness.

Wilderness Watch supports efforts to recover and protect populations of Sonoran pronghorn. We also support preservation of Cabeza Prieta's wilderness character. We believe the supplemental water and forage project as proposed will significantly impair the area's wilderness character and needs to be substantially revised in order to meet the Service's obligation under the Wilderness Act and NEPA. We also feel the EA has created more questions than it has answered and must be revised and/or an EIS prepared to address its shortcomings. Because the proposed project, with its planned heavy-handed manipulation of the area's natural conditions and reliance on motor vehicles and motorized equipment, is so antithetical to the preservation of the area's wilderness character it is imperative that a much more robust assessment of the proposed actions and alternatives to it be undertaken.

### *The Purpose of the Project is too narrowly defined*

The stated purpose "to provide supplemental water and forage for the endangered Sonoran pronghorn..." is so narrowly defined that it precludes consideration of meaningful alternatives. If the purpose of the project is to increase Sonoran pronghorn numbers on their native range, then a variety of potential options exist and could have been analyzed. Those options may or may not have included providing supplemental

water and feed, and may or may not have involved the CPW. But the narrow purpose of the EA demonstrates that the Service began with the assumption that additional water sources and feed in these specific locations are the only solution to a not-well-defined problem, and proceeded from there.

Nowhere in the EA does it describe to what degree the proposed action will go toward meeting the recovery goal of 300 adult pronghorn. The EA merely suggests that providing more water and feed will result in more pronghorn. But how many? How many similar projects will be needed to reach the goal of 300 adults? These shortcomings in the EA are especially problematic when the projects are proposed in Wilderness and the agency is ostensibly trying to strike a balance between enhancing pronghorn populations and the damage those efforts will do the area's wilderness character.

The EA also states that the proposed action will benefit "other wildlife species" with artificial water supplies. Yet the EA doesn't quantify the benefits to any other species, nor does it describe the environmental effects from artificially increasing the populations of those species. Most importantly, the EA leaves open the questions of how providing additional water to these species meets the refuge's goals, and how it complies with the Wilderness Act's requirements to preserve the area's wilderness character.

In short, if the "purpose" of the project is to enhance Sonoran pronghorn numbers on their native range in order to reach the recovery goal, then the EA process needs to begin anew, with the fixation on building water tanks and feeding stations in the CPW viewed as only one option, likely an unlawful one at that.

#### *The EA lacks needed information*

The EA fails to quantify impacts from implementing the proposed action and the no action alternative. For example, the proposed action includes placement of temporary waters that could involve numerous motorized intrusions and placement of structures within the Wilderness. Yet there is no analysis of how many such intrusions would be allowed. Instead, the EA relies on terms that are neither defined nor quantified such as during "times of crisis," and "periods of extreme or prolonged water and forage shortages." How does the FWS define a "time of crisis" or an "extreme or prolonged water and forage shortage"? How often have such conditions occurred in the past, and how often are they expected in the future? Without answers to such questions it isn't possible to assess the impacts to wilderness character from the potential placement of "temporary waters."

Similar problems plague the analysis of impacts from the proposed supplemental feeding program. The EA states this program would be implemented during periods of "poor forage production." Nowhere does it state what constitutes "poor forage production," nor is there any indication of how often such periods are likely to occur. Where numbers are provided, they are incredibly confusing and seem to bear little resemblance to the proposed action. For instance, the EA states up to five helicopter missions of three flights each may be needed "per season," to provide forage, but nowhere is "season" defined. What constitutes a "season" and often does one occur? It also states there will be three trips per water equating to "a possible 15 helicopter

flights per season.” Yet elsewhere the EA states supplemental feed may be provided at “all waters,” apparently referring to all 10 waters proposed for construction or enlargement. Three trips per water would therefore be 30 trips, not 15.

As for the No Action alternative, which really isn’t “no action” (see discussion below), there are significant wilderness impairing activities that aren’t quantified or analyzed. Under the no action alternative, the FWS “would maintain the current program of hauling water to existing catchments.” Nowhere is the amount of motorized use associated with hauling water described. How many water-hauling trips are done under the current program, and have those impacts been analyzed in accordance with NEPA? Under the no action alternative, The no action alternative also allows for an unspecified number of temporary waters to be developed. How many temporary waters would be allowed? How many motorized intrusions into the CPW would be required to construct and maintain these temporary waters?

Assessing the impacts to wilderness character depends in part on how many motorized intrusions are allowed, and how many structures are placed in the Wilderness. Statements like those in the EA that can’t be quantified are inadequate for addressing those impacts.

Perhaps the most glaring information gap is the lack of information or analysis of how the proposed project will benefit pronghorn. If the recovery goal is 300 adults and there are currently 170 pronghorn on the refuge, how will the project affect these numbers? How many similar projects will be required to meet the goal? What other projects are currently under way or in the planning stages on the refuge or elsewhere to achieve the goal? Given that the proposed project requires a huge commitment of resources, including substantial damage to the area’s wilderness character, the relative importance and value of this project needs to be clearly stated in order to weigh the tradeoffs involved.

#### *EA lacks an adequate array of alternatives*

As noted above, a fundamental problem with the EA is that the purpose is too narrowly defined to provide for an adequate array of alternatives. It is quite clear that the analysis started from the assumption that the only way to benefit pronghorn is to construct or enlarge 10 water developments at the specified locations and provide feeding stations at those water developments. Therefore alternative approaches or locations were not considered.

The EA should have considered a non-wilderness alternative since at least half of the pronghorn’s suitable range lies outside designated Wilderness and much of that range is currently unoccupied habitat. There is no indication the EA considered a non-wilderness location even though impacts to Wilderness is one of the key issues raised by the project.

An alternative that includes expanding the semi-captive program outside Wilderness should have been included in the EA. The EA suggests the semi-captive herd program has been successful in significantly increasing the number of pronghorn on the refuge. It also suggests that border control and border patrol related activities have greatly impacted pronghorn habitat on much of the refuge. Since it appears these impacts will continue into the foreseeable future, and the

possibility they will spread into the area of the proposed project, expanding the captive breeding program should be considered along with other reasonable alternatives.

The EA states recreation use has fragmented pronghorn habitat. An alternative should have been considered that addresses these recreation impacts so that impacts to pronghorn from these activities are eliminated.

The EA fails to include a “no action” alternative. There are two ways to approach a no action alternative: one is to continue the status quo; the other is to literally take no action. The “no action” alternative in the EA continues the status quo, but it also includes a number of additional actions such as placement of temporary waters and of supplemental feeding stations. It is not a “no action” alternative.

The EA should have included a true “no action” alternative. Under the status quo, the U.S. subpopulation has increased dramatically from “nearly extirpated” (reportedly 18-21 animals) in 2002 to more than 170 today—an eight-fold increase and more half-way to recovery. How would continuing the status quo, plus proposed supplemental feeding plans at Organ Pipe NM and other non-refuge activities, affect this trajectory toward recovery?

*The EA fails to address the cumulative effects of the project*

The EA (page 40) lists several past, ongoing, and reasonably foreseeable future activities that may affect the refuge. Beyond this listing there is no analysis of these cumulative impacts to refuge resources. For example, the EA states there has been more than 8,000 miles of vehicle tracks created in the CPW in recent years due to border activities and that those activities continue to this day. Why aren't the cumulative effects to Wilderness from the proposed action, 8,000-plus miles of vehicle tracks, ongoing motor vehicle use, and border patrol-related activities addressed in the EA? The same question holds for the other activities (new military operations, ongoing water-hauling for bighorns, etc.) affecting the Wilderness. Why are they not addressed as part of the cumulative effects?

The EA states that its cumulative effects analysis focuses on the incremental effect of the alternatives. This approach might be appropriate if all other past, present and reasonably foreseeable future actions were analyzed in another NEPA document, but such an analysis doesn't exist. The cumulative effects of these activities can't be ignored in the EA.

*The EA fails to address impacts to the area's wilderness character*

The Wilderness Act defines Wilderness as:

“...an area where the earth and its community of life are untrammelled by man...retaining its primeval character and influence, without permanent improvements...which is protected and managed so as to preserve its natural conditions...[and] has outstanding opportunities for solitude or a primitive and unconfined type of recreation.” (Section 2(c))

The Act further requires that any agency administering Wilderness must do so in a manner that preserves the area's wilderness character:

“Except as otherwise provided in this chapter, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character.” (Section 4(b))

In order to protect each area's wilderness character, the Act prohibits certain activities and uses:

“...except as necessary to meet minimum requirements for the administration of the area for the purpose of this chapter (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.” (Section 4(c))

In order to determine whether the agency is meeting its legal mandate to preserve each area's wilderness character, the FWS, along with NPS, BLM, and the USFS developed a framework for monitoring wilderness character. That framework identifies four qualities that relate to wilderness character: *untrammelled*, *natural*, *undeveloped*, and *solitude or primitive and unconfined recreation*. (See *Keeping it Wild: An Interagency Strategy to Monitor Trends in Wilderness Character Across the National Wilderness Preservation System*. USDA, RMRS-GTR-212. July 2008)

The magnitude of impairment to wilderness character from the proposed action is nearly unprecedented in the NWPS, yet the analysis of impacts is limited to less than one-page of the 45-page EA. Almost completely absent is any discussion, let alone analysis, of impacts to the myriad conditions that the agency's own policies and guidance suggest should be analyzed to determine impacts to the area's wilderness character.

Nothing is said as to how an unprecedented supplemental watering and feeding program affects the *untrammelled* or *natural* qualities of the Cabeza Prieta Wilderness. The impacts to the *undeveloped* quality are inadequately addressed, in part because the extent of development is unknown and in part because the EA downplays the known impacts by suggesting that underground structures are somehow less of an impact on the undeveloped quality than are above-ground structures. The effects on solitude and unconfined recreation are viewed only in terms of the immediate impacts from noise during construction and maintenance, but not how encountering or even just knowing the extent to which the area's wilderness character is being manipulated by management affects a sense of remoteness, an absence of human-built structures or other signs of human activity, or other indicators that affect a feeling of solitude.

#### *Other concerns*

From a pronghorn management standpoint the EA presents a conundrum. On the one hand it suggests that the location where FWS has decided to make a stand for pronghorn recovery isn't

really pronghorn habitat at all. In order for the pronghorn to survive they need FWS's intervention in the way of providing supplemental water and forage. On the other hand, pronghorn seem to be surviving in the area without the proposed supplemental water and forage. So which is it, and why is the EA silent in regard to how the proposed action affects pronghorn numbers?

Another major unanswered question with regard to "why here" for the project's location relates to the impacts from border patrol activities. The EA states that pronghorn access to other areas of suitable range are "presumed" to have been or are currently being impacted by border related activities. A decade ago such impacts were not an issue. Yet, each time border patrol disrupts illegal crossings in one area the problem moves to a new one. What evidence is there to suggest that the process won't continue, and the project area won't soon suffer the same fate as these other areas of suitable range?

### *Conclusion*

Wilderness Watch supports efforts to protect and recover Sonoran pronghorn, but those efforts also need to honor the Wilderness. By any measure, this level of development, motorized use, and intentional manipulation of natural conditions makes a mockery of the refuge's Wilderness status. Moreover, the EA is fundamentally flawed in a number of significant ways and should be revised and resubmitted for public comment. In fact, given the significant impacts associated with the project, the cumulative effects of other activities, and the likelihood the project as proposed is illegal, we believe an EIS with a substantively different proposed action is required.

Wilderness Watch believes the FWS and other agencies should first explore heavy-handed management actions on non-wilderness lands, including the Goldwater range, as well as expanding the captive-herd efforts until the pronghorns' natural habitat becomes more secure and the animals can be released in the wild.

Sincerely,

George Nickas  
Executive Director