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U.S. FISH AND WILDLIFE SERVICE AND ARIZONA GAME AND FISH DEPARTMENT

JOINT NEWS RELEASE:

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District Court ruling lets stand wildlife water development on Kofa Wildlife Refuge

PHOENIX — Thirsty bighorn sheep and other desert wildlife stand to benefit from a recent court ruling that says redevelopment of existing wildlife water sources on the Kofa National Wildlife Refuge near Yuma did not violate federal environmental policy laws.

U.S. District Court Judge Mary H. Murguia ruled Sept. 5 that a decision by the U.S. Fish and Wildlife Service (FWS) to allow redevelopment of two existing water catchments using motorized equipment did not violate the Wilderness Act and that the agency complied with the National Environmental Policy Act (NEPA) in allowing the work to occur.

These redevelopments provide more dependable sources of water for wildlife in areas of the refuge where access to water was limited.

The ruling is a significant win for federal and state wildlife management authorities in their ongoing efforts to improve habitat conditions that help support healthy wildlife populations on the refuge. The Arizona Game and Fish Department was granted intervener status by the court and is a partner with the FWS in restoring the desert bighorn sheep herd found on the Kofa.

"This decision supports the department's long-held position that healthy wildlife populations are an important component of the wilderness experience and that wildlife management and wilderness values are not incompatible," said Larry D. Voyles, director of the Game and Fish Department. "The ruling acknowledges that well-planned, active management activities critical to the recovery and sustainment of wildlife can be successfully balanced with wilderness requirements."

Wilderness Watch and several other groups had filed a lawsuit in June 2007 in an attempt to prevent the continued operation of the wildlife water tanks. The groups argued that the FWS had followed an existing refuge management plan rather than the Wilderness Act in allowing the construction work. But the court ruled that the FWS considered both the plan and the act, and was correct in issuing a "categorical exclusion" as permitted by NEPA.

"We are pleased with the courts' ruling," said Benjamin N. Tuggle, FWS Regional Director. "As we move forward, it is our intention to continue to work cooperatively with all entities interested in ensuring healthy wildlife populations and protection of sensitive lands."

The Kofa National Wildlife Refuge consists of more than 665,000 acres, of which approximately 510,000 acres are designated as wilderness. It is home to a variety of wildlife including one of the most important desert bighorn sheep populations found in the Southwest. Since 1957, the Kofa herd has been a source of transplant animals for the recovery and sustainment of desert bighorn populations in Colorado, New Mexico and Texas as well as throughout historic range in Arizona. In 2006, a survey of the population found that numbers had dropped to an historic low. An investigation by the Arizona Game and Fish Department and FWS identified drought as one likely cause of the population decline. The most recent survey, completed in November 2007, estimates a population of 460 sheep on the refuge.

For more information about the Arizona Game and Fish Department's cooperative management efforts on the Kofa National Wildlife Refuge, please visit www.azgfd.gov/kofa.

To view a copy of the U.S. District Court order about water development, visit http://www.azgfd.gov/w_c/bhsheep/press.shtml.

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