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Tumacacori wilderness sought

Grijalva's bill would protect Highlands area

By Tony Davis

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The debate over a proposed Tumacacori Highlands wilderness area swings into high gear now that U.S. Rep. Raúl Grijalva has introduced a bill to protect 83,400 acres of national forest from Tubac south to the Mexican border.

Although they face opponents who cite border-enforcement concerns, Grijalva and environmentalists have lined up a broad coalition of supporters in four years of planning. Backers include four hunting groups, two religious groups, four neighborhood associations and dozens of businesses from Tubac to Nogales.

They're joined by 80 University of Arizona scientists who say the Tumacacori Highlands need protection from increasing urbanization in the Upper Santa Cruz River Valley and the Tucson area to the north.

In particular, the area must be protected to keep a growing number of off-road vehicles from scarring a lush and fragile landscape, wilderness supporters say. The area plays host to an immense variety of state and federally protected species — 74 in all — and some of the Southwest's most rugged and biologically diverse wildlands.

But supporters must deal with more than the usual adversaries of wilderness designations, such as mining companies and ATV operators. They must confront the more broadly based and emotional issues of homeland security and border protection.

That's because the area lies in the heart of the U.S.-Mexican migration corridor, one of the most highly trafficked areas by illegal immigrants and drug smugglers alike in the Border Patrol's Tucson Sector.

Border Patrol officials are of different minds as to whether

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Nationally

1963-69 12,610,666

1970-79 8,970,692

1980-89 71,461,044

1990-99 11,237,493

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Arizona

1963-69 597,014

1970-79 584,065

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1990-99* 2,495,280

2000-07 None.

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Source: Wilderness.net, a Web site run jointly by the U.S. government and the University of Montana.

VOICES ON THE

wilderness protection hampers their efforts.

But some longtime wilderness opponents, including the Arizona Cattle Growers Association, are expressing concern about the immigration issue, warning that the highlands will become an open corridor for illegal border-crossers and drug traffic if the bill passes.

In wilderness areas, motor vehicles, bulldozers and other mechanized equipment aren't allowed.

New roads can't be built. Timber-cutting and mining are banned except for miners who pursue claims predating a wilderness designation. Power lines are out unless the president proclaims that their construction is more important than wilderness protection. Grazing is allowed under congressional guidelines.

"Obviously, wilderness areas are restrictive and prohibitive as to what kinds of things can be done," said Dion Ethell, a Border Patrol agent who serves as a liaison with other federal officials who manage various public lands in Southern Arizona.

"Anytime there would be legislation that may or may not prohibit off-road travel, of course it would be a concern to us. That's why we're working very closely with those who have proposed the legislation to keep our bases covered."

But a Border Patrol spokesman said rules typically don't hamper agents' work in other borderland wilderness areas.

"Typically an agent will drive as far as a road will allow him to, then he will continue to search on foot," said Border Patrol public-affairs officer Richard DeWitt. "We can utilize other means to detect and intercept illegal entries."

Wilderness backers such as Matt Skroch of the Sky Island Alliance said border protection has been addressed by a 2006 agreement signed by the Department of Homeland Security and two federal land-management agencies. It gives the Border Patrol the right to pursue illegal immigrants by motor vehicles in wilderness areas when they determine a threat exists to human safety or national security.

Supporters say the highlands are worth protecting because their three mountain ranges — the Atascosas, Tumacacoris and Pajaritos — act as a biological crossroads. The area draws northern U.S. species such as the black bear and the peregrine falcon and tropical varieties such as the elegant trogon, yellow-billed cuckoo and jaguar. The area includes rolling hills, sheer cliffs, deep canyons, grasslands and oak woodlands.

"In short, the area is Arizona as Arizona used to be," the group

WILDERNESS PROPOSAL

"It is more difficult to pursue illegal immigrants in wilderness areas. Anything that does make it more difficult is a deterrent for us and a benefit for those who are entering the country illegally. You can get vehicles into these areas; they have roads. But if you were trailing a group of aliens, you couldn't be driving off road, you had to use horseback or foot."

— Mike Albon, representing the National Border Patrol Council, Local 2544, which represents Border Patrol agents working in the Tucson Sector.

"The problem I have is that the people who want the wilderness are the same ones who are constantly suing people, telling them you've gotta take care of wilderness and not allow a single vehicle. And they say, 'Well, this memo of understanding will take care of the border issue.' But as soon as it becomes a wilderness, they are going to sue someone and say, 'Wait a minute. Wilderness means no vehicles. You can't do that.'"

— Doc Lane, executive vice president, Arizona Cattle Growers Association.

"The chamber is very much dependent on tourism. Our natural resources are a big part of who we are. We want people to come down here to shop and eat and play golf

Friends of the Tumacacori Highlands said in writing.

In introducing the bill late last week, Grijalva said he had not only tried to balance the needs of land and wildlife with border security, he also tried to work with all interest groups concerned about the area.

As chairman of the House Natural Resources public-lands subcommittee, he hopes to hold hearings on his bill later this year and get it passed by the House before the 2007 session of Congress ends.

It's been 17 years since the last Arizona wilderness bill passed Congress. Grijalva said the presence of the first Democratic Congress since 1994 offers a window of opportunity.

"We had to work and work and work in the region, and make sure that even the people opposed to it, and there will be people opposed, that they cannot claim we are springing some surprise on them," the Tucson Democrat said. "Every point they brought up has been addressed in this bill. This has been worked and reworked and reworked."

Two other Arizona Democrats, Reps. Gabrielle Giffords of Tucson and Ed Pastor of Phoenix, have signed on as co-sponsors. Rep. Jeff Flake — the only Arizona Republican congressman who could be reached for comment on the bill — said through a spokesman that he needs to study it further, but generally opposes "creating or expanding federal land" because the U.S. can't properly manage its current holdings. The area is federally owned.

A longtime ranching family in the highlands area is supporting the bill — which is rare in wilderness efforts.

"We recognize livestock grazing as a legitimate use of the proposed wilderness area, as made clear by the Wilderness Act," said three members of the Bell family in a letter co-signed by officials of Tucson's Sky Island Alliance and the Wilderness Society. "We also recognize the innate qualities of the land — biologically, productively, recreationally — and we share a desire to see the land protected for future generations of ranchers, hikers, hunters and many others to enjoy."

But Jean Neubauer, whose family has ranched just west of Tumacacori National Historic Park for 70 years, said she opposes the bill because she doesn't want "one more layer of bureaucracy" governing the area beyond the Forest Service officials working there.

"But I am in favor of the goals (of wilderness). I am very much an environmentalist and feel strongly that we live in a beautiful

and do recreational activity, but we also need to preserve the area."

— Carol Cullen, executive director, Tubac Chamber of Commerce.

"Anything that's made wilderness today is quite a loss. We have so much wilderness to start with and such an increase in off-highway-vehicle sales. There is a minority of off-roaders that abuses the land, but there is a minority of hikers and everything else that abuses the land. Most people are fairly responsible."

— Rebecca Antle, legislative liaison, Arizona State Association of 4 Wheel Drive Clubs, Inc.

"I think off-road vehicles do pose one of the greatest threats to the Tumacacori Highlands. ... Wilderness ensures that natural characteristics and natural splendor will be conserved. We will have 20 approach roads and more than 100 miles of access roads to the boundaries — almost all existing dirt roads."

— Matt Skroch, executive director, Sky Island Alliance, an environmental group.

"Wilderness makes the best habitat for big game. It's been proven by numerous studies. The larger the roadless area, the denser the population of deer and elk. Hunters who are more interested in the health of the

part of Arizona, and we need to protect it," Neubauer said. "What's happening here is, where you have urbanization and population growth, if you don't have the budget to enforce some of these new restrictions, like off-road, it is sort of meaningless to create legislation."

The Arizona Cattle Growers Association and the Arizona Four-Wheel Drive Club said they will oppose the bill.

The Arizona Mining Association and Tucson Electric Power Co. — which has proposed to put one of its two alternative power-line routes from Sahuarita to Mexico through the Highlands area — said through spokesmen last week that they haven't had time to study the bill and take a stand.

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— Jonathan Hanson, a Tucson-area hunter and founding member of Backcountry Hunters and Anglers, a national group.

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