



Humanitarian Aid on Buenos Aires NWR - Questions and Answers

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Why does the refuge need to allow water stations on the Refuge?

In the past eight years, 25 people are known to have died on refuge lands due to dehydration or exposure while trying to cross the desert, where temperatures average in the mid-90s during the summer months. While the number of deaths on the refuge has been steadily declining from six deaths in 2006 to two in 2009, the Service recognizes that every death that can be prevented should be prevented.

By allowing water stations, isn't the refuge encouraging illegal immigrants to cross at the refuge?

No. By allowing water stations, the refuge is addressing the very real problem of loss of human life on the refuge. Refuge staff will continue to work with Customs and Border Protection (CBP) officials to implement measures to prevent illegal immigration through the refuge. This includes providing access for patrol and interdiction activities, assistance by refuge law enforcement officers with detention of illegal immigrants when discovered, and working to identify successful means for further securing the border in a manner that also minimizes destruction of wildlife habitat.

Three water stations have been in use on the refuge since 2001. From the time that these stations were on refuge lands, the number of illegal immigrants crossing through the refuge has sharply declined. The estimated number of illegal immigrants crossing the refuge has declined 93 percent from 2007 to 2009 (300,000 in 2007 to just 20,700 in 2009).

Through this compatibility determination, the refuge has identified a responsible way to provide humanitarian aid while also protecting sensitive wildlife habitat in a manner that does not impede border enforcement activities.

Some say that immigrants will not use these sites for fear that they are being watched by Border Patrol and that this approach to providing humanitarian aid does not do enough to save lives. Should the refuge be doing more to help those in need?

The purpose of allowing humanitarian activities on the refuge is to assist in providing potentially life saving measures for those suffering from dehydration or exposure. It is not to facilitate movement across refuge lands.

Since 2001, a humanitarian organization has been permitted to maintain three water stations on the refuge as supplemental emergency water sites for immigrants. Each of these sites consists of two 55-gallon drums marked by blue flags. The permittee has requested additional sites; however, until now, a full assessment of the potential impacts from additional sites had not been completed, and those requests were denied. Through this assessment the door has been opened for consideration of additional sites.

Additionally, CBP agents have complete access to refuge lands and patrol the borderlands 24 hours a day. CBP agents and Refuge Law Enforcement Officers have rescued many individuals who were ill, without water or lost. The refuge has also worked with CBP to install emergency rescue beacons along the border that can be triggered by individuals in distress; three of these solar powered beacons are located on Buenos Aires NWR with plans for additional units to be installed. Finally, recently 6 wells throughout the refuge were retrofitted with spring loaded spigots and water tanks and catchments have been improved to retain water collected from rain and flood events. While intended for wildlife use, these catchments may be used by those in need.

Some organizations have attempted to place more portable, one-gallon water containers on the refuge for immigrants. Why is this type of aid not being allowed?

Our compatibility determination looked specifically at large immobile water stations versus small, more portable stations. The determination concluded that the presence of water stations for humanitarian needs was only compatible with the purposes of the refuge when: 1) Activities are carried out in a manner that limits impact on refuge lands; 2) Water stations do not facilitate movement across refuge lands; and 3) Efforts are consistent with Department of the Interior guidance on permitting such stations. The assessment concluded that the one-gallon approach to providing water did not meet any of these standards.

Specifically, the assessment determined that the one-gallon method may contribute to an already substantial problem of litter on the refuge, may facilitate, due to the portable nature of the containers, the movement of illegal immigrants across refuge lands, and did not comply with guidance that permitted water stations should:

- [be in] locations that provide for easy vehicle access and do not require off-road access;
- [be established] at locations where the likelihood of direct contact with visitors is minimized; and
- require the permittee to maintain water stations in accordance with applicable federal, state and local government water quality standards.

For these reasons it was determined that placing small, more portable, water sites is not a compatible use on refuge lands.

In the past, individuals who placed one-gallon water jugs for immigrants throughout the refuge were cited by refuge law enforcement. If they continue to do this will they still be cited?

Yes. Individuals observed not complying with the guidelines identified in the compatibility determination are subject to citation by refuge law enforcement officers for charges including, but not limited to trespass, littering, abandonment of property and conducting an unpermitted activity.

The refuge has identified an appropriate way to provide humanitarian aid on Buenos Aires NWR. Large, semi-permanent, water stations will not contribute to the substantial problem of litter on the refuge, will not actively facilitate the movement of individuals through the refuge, and will comply with existing guidance on permitting such aid. Issuance of a special use permit will be considered for those whose actions comply with these guidelines.