



TUESDAY  
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## Tribe says sheep habitat designation derails development plans

RIVERSIDE, Calif. — A tribe filed a federal lawsuit claiming the U.S. Fish and Wildlife Service is trying to derail development on its sovereign territory with protections for endangered Peninsular bighorn sheep.

The Agua Caliente Band of Cahuilla Indians, which operates casinos in Palm Springs and Rancho Mirage, said in the lawsuit filed Monday that government sheep protections threaten any future development plans the tribe might have on western Coachella Valley reservation lands.

The lawsuit claims more than 14,016 acres of tribal land located south and west of Palm Springs and Cathedral City would have such severe restrictions placed on development that the added red tape would cost the tribe millions of dollars to get anything built.

Tribal planning officer Tom Davis said the federal agency has effectively thrown a "heavy layer of federal regulation over the area that really isn't necessary."

A spokeswoman for the federal agency said it had not seen the lawsuit yet.

The lawsuit seeks a judgment on 10 claims ranging from a federal failure to perform an adequate economic analysis to federal violation of an executive order on tribal relations. It also seeks a restraining order on each claim against

the Fish and Wildlife ruling on the critical habitat.

Bighorns were added to the federal endangered species list in 1998, adding development and recreation restrictions so recovery efforts could proceed in their habitat. There are about 100 bighorn in mountains around the Coachella Valley, up from about three dozen nine years ago.

The Agua Caliente and its members own more than 31,500 acres of tribal land with approximately half falling within the borders of the sheep's critical habitat in the Santa Rosa and San Jacinto mountains.

"The fundamental issues are that we feel that the Fish and Wildlife Service needs to redesignate critical habitat for bighorn sheep after adequate research to biological and economic impacts on the tribe are considered. We don't think they've adequately done that," Davis said.

Jane Hendron, a spokeswoman for the Carlsbad Fish and Wildlife office, said the habitat designation was made in response to a lawsuit filed by the Center for Biological Diversity and Desert Survivors.

"We get sued to designate critical habitat. Then when the habitat is designated, we get sued again," Hendron said. "Our budget is being used to comply with court-ordered deadlines, leav-

ing us with almost no ability to set our own listing priorities," she said.