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Suit: Plans won't protect tortoise

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The two huge plans designed to protect the threatened desert tortoise and other rare species in the desert are actually damaging the environment by expanding routes for off-roading enthusiasts, according to a lawsuit filed in federal court Monday.

"We want the desert tortoise recovered and that's what the law requires," said Daniel Patterson, an ecologist with the Center for Biological Diversity, the Tucson-based group that has filed scores of environmental lawsuits.

The suit filed in San Francisco against the U.S. Bureau of Land Management and the U.S. Fish and Wildlife Service seeks to have the plans modified or invalidated.

Fifteen years in the making, the West Mojave Plan covers 9.3 million acres, or roughly 14,500 square miles, in San Bernardino, Los Angeles, Inyo and Kern counties.

The Northern and Eastern Colorado Desert Coordinated Management Plan covers about 5.5 million acres of the Sonoran Desert in

San Bernardino, Riverside and Imperial counties.

The plans are designed to protect species while allowing development in designated areas. Such habitat conservation plans should allow developers to pursue projects without getting derailed by endangered species.

Off-highway vehicle routes have been expanded and poorly thought out in the plans, putting the desert tortoise at risk, environmentalists said.

The routes in the plan can be near each other or overlap, and the overall effect of the routes isn't properly considered, said Jason Fried of the Alliance for Responsible Recreation, a coalition of other groups, including property owners and equestrians, trying to fight illegal or destructive off-roading.

"Maybe one route wasn't too bad, but then you get this spaghetti bowl effect" of routes all over the place, he said.

Officials at the BLM had not seen the suit and couldn't comment, said Charna Lefton, spokeswoman in the Sacramento office.

Activists are concerned that off-roading is allowed in dry creek beds.

A federal court in 2004 prohibited off-roading in 571,000 acres of the Northern and Eastern Colorado Desert area to prevent harm to the desert tortoise. BLM lifted the restrictions in April 2005 after a new opinion on the danger to tortoises was issued by the Fish and Wildlife Service, the agency that oversees endangered species.

Patterson of the Center for Biological Diversity said the Bush administration is satisfied simply with preventing the tortoise from going extinct, instead of helping the reptile recover, as required by law.

"We're having to go back and challenge that again," he said. "It just shows the long practice that this administration thinks it's above the law."

Also participating in the suit are Public Employees for Environmental Responsibility and the Sierra Club.