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FWS cuts Santa Ana sucker habitat by more than half

Allison A. Freeman, Land Letter reporter

The Fish and Wildlife Service will designate less than half of the acreage it had proposed last year as critical habitat for a sucker fish in Southern California. FWS announced Tuesday it would designate 8,305 acres of critical habitat for the Santa Ana sucker, a small fish that once thrived in the Los Angeles, San Gabriel and Santa Ana rivers in Southern California.

The designation contrasts with a proposal the service put forward last year to include 21,129 acres as critical habitat.

The bulk of the cuts the agency made were to acreage that is also part of the Western Riverside Multiple Species Habitat Conservation Plan or the Santa Ana Sucker Conservation Program, two voluntary, local conservation contracts that include some fish protections.

FWS officials predicted the fish would benefit more from protection solely under these plans, but environmentalists said the land-use contracts alone do not ensure adequate protection and enforcement for listed species.

"There are grumblings that this kind of switcheroo is more than curious -- it is in fact illegal," said Jim Edmonson of CalTrout, a California fish advocacy group.

David Hogan of the Center for Biological Diversity, which sued to force the original habitat designation, said his group would look into possibly pursuing further legal action against the service.

"The decision reduces protected habitat and undermines the values that many Californians hold dear," Hogan said. "It is deeply flawed and clearly illegal."

But FWS officials said the fish would not be put in further danger with the smaller habitat designation, which they said would also reduce the hefty costs the previous proposal would have included. A draft economic analysis determined conservation costs over the next two decades could run between \$21.8 million and \$30.5 million.

The Endangered Species Act mandates designation of critical habitat -- recognizing an area as essential for species' survival and recovery -- for almost all federally listed species. But the Fish and Wildlife Service has maintained that in 30 years of implementing ESA, it has found little to no additional benefit from the designation of critical habitat.

Federal officials gave the Santa Ana sucker, which is thought to have disappeared from three-quarters of its historic range, threatened status under ESA in 2000 but did not designate critical habitat for the fish. In a court ruling, the service was ordered to designate critical habitat for the Santa Ana sucker by Feb. 26, 2004.

FWS officials issued an emergency final habitat designation last February in response to the court order, which also forbade the agency from approving any projects that could affect the sucker in the meantime. At the same time, the service also repropoed the rule so they could conduct an economic analysis and receive public comment.

This week's habitat designation represents the revised final rule and will go into effect Feb. 3.

The new designation does not include any habitat along the Santa Ana River in San Bernardino County, although FWS has determined the river makes up about 60 percent of the total remaining range for the sucker.

Last year's proposal had included 11,709 acres in two plots along the Santa Ana. Some of that acreage was excluded because it was also a part of local conservation plans, according to the service. Other habitat was left out because FWS officials determined that it was not essential for the fish, since the species did not live there.

The agency kept the 5,765 acres it designated on the San Gabriel River in Los Angeles County intact and cut about a thousand acres from the previous designation for the Big Tujunga Creek in Los Angeles County. Last year's proposal included 3,655 acres along the creek, while the new rule designates 2,540 acres there.

Federal officials have identified urban development, channeling of streams, water diversions and invasive species as the principal threats to the fish.