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Group sues over habitat

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Six rare plant species found in the San Bernardino Mountains and three neighboring ranges face extinction unless their fragile habitats are protected, environmentalists claim.

The Center for Biological Diversity and the California Native Plant Society allege in a lawsuit filed in Riverside that the U.S. Fish and Wildlife Service violated federal law by failing to designate critical habitat for the six species.

Three of the plants, wildflowers living on lofty pebble plains at elevations of 6,000 to 7,500 feet in the San Bernardino Mountains, are found nowhere else on Earth. The plains are considered fragile remnants of a 11,000-year-old Pleistocene-epoch lake bed, surrounded by pinon-juniper woodlands and evergreen forests.

Daniel Patterson, ecologist with the Tucson, Ariz.,-based Center for Biological Diversity, said the wildlife service's "illegal disregard for the Endangered Species Act puts these unique plants at risk of extinction.'

The plants were listed in the act six years ago as threatened or endangered, he said.

"The only way to help endangered species recover is by creating critical habitat for them,' Patterson said.

"We invoke the Endangered Species Act only for emergencies,' said Emily Roberson, senior policy analyst with the California Native Plant Society.

"It is the intent of Congress to protect these exceptional ecosystems and recover imperiled and beautiful wildflowers that depend on them.'

The Fish and Wildlife Service has determined that designating critical habitat for the six plants is not prudent, agency spokeswoman Alex Pitts of Sacramento said.

The publication of precise maps and descriptions of critical habitat would make the species more vulnerable to vandalism as well as over-collection by researchers or curiosity seekers, she said.

But San Francisco attorney Adam Keats, counsel for the biological

center, calls the wildlife service's argument arbitrary and capricious. "[It] is an abuse of discretion, not in accordance with law,' he said.

The lawsuit, which was filed Monday in U.S. District Court in Riverside, seeks a declaratory judgment that the wildlife service violated the Endangered Species Act and the federal Administrative Procedures Act by failing to designate critical habitat for the six plants.

The suit also seeks injunctive relief compelling the wildlife agency to withdraw its "not prudent' assessment and issue a new decision designating critical habitat for the plants.

Pitts said the lawsuit is one of many filed in recent years by environmental groups about issues involving critical habitat for plants and animals listed as endangered.new

"We're in the process of developing critical habitat for many species,' she said. "In fact, much of our workload is based on court orders to consider critical habitat issues.'

Environmentalists have achieved success in many of their court battles.

"[Some] courts have disagreed with our determinations,' Pitts said.

Keats said the biological center sued the federal government six years ago to list the plant species as threatened or endangered.

"Now we're suing to designate critical habitat for them,' he said.

The six plants and their habitats:

Big Bear Valley sandwort Lives in Big Bear and Holcomb valleys in the San Bernardino Mountains.

Southern Mountain buckwheat Found in the same valleys.

Ash-gray Indian paintbrush Ranging in the San Bernardino Mountains from Snow Valley and Fish Camp to Onyx Peak, and from South Fork Meadows to Holcomb Valley.

San Bernardino bluegrass Lives on edges of wet meadows in Holcomb Valley and Wildhorse Meadow in the San Bernardino Mountains, and in the Palomar and Laguna mountains.

California dandelion Also lives on the edges of meadows in the Big Bear and Holcomb valleys, as well as the South Fork Meadows in the Santa Ana River watershed in the San Bernardino Mountains.

Hidden Lake bluecurl Lives only at one high elevation vernal pool in the San Jacinto Mountains.

The environmental groups say the rare plants face various threats,

including livestock grazing, off-road vehicles, mining, recreation, erosion control projects and invasive weeds.

Why bother protecting plants like these?

"Plants are the foundation of the ecosystem,' Roberson said. "They provide wildlife habitat, create oxygen we breathe, and keep soils healthy.'

The native plant society reports that about one-third of California's 6,000 plant species are at risk of extinction or are heading in that direction.

Plants also serve as environmental barometers.

"If one-third of them are imperiled, that's a sign that our environment is in trouble,' Roberson said.

"Plants are a vital part of California's natural heritage. They help make the state beautiful and special.'