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(with photo. This article ran in at least 55 media outlets nationwide)

Feds Agree to Review Rare Nev. Butterfly

By SCOTT SONNER

The Associated Press

RENO, Nev. -- Federal officials agreed Tuesday to conduct a yearlong review of whether a rare Nevada butterfly at one of the largest sand dunes in the West should be protected under the Endangered Species Act.

More than two years after conservationists petitioned for a listing, and after a lawsuit was filed, the U.S. Fish and Wildlife Service ruled there is enough scientific data to justify a formal review of the Sand Mountain blue butterfly. The decision comes over the objections of off-road enthusiasts, but was hailed by environmentalists who want to protect the 4,750-acre Sand Mountain Recreation Area managed by the Bureau of Land Management about 80 miles east of Reno along U.S. 50.

"I don't think this was expected because it has been very, very difficult to get any kind of pro-conservation decision out of the Bush administration," said Daniel Patterson, a desert ecologist for the Center for Biological Diversity based in Arizona .

"What it shows is the overwhelming scientific evidence that the Sand Mountain blue butterfly is in big trouble and not even the administration can deny that. Right now, it is really on its death bed, in critical condition," he told The Associated

Press.

His group, along with the Xerces Society, Public Employees for Environmental Responsibility and Nevada Outdoor Recreation Society first petitioned for the listing in April 2004. In January of this year, they filed a federal lawsuit in Sacramento accusing the agency of violating the Endangered Species Act by failing to respond to the petition.

The act requires the government to provide a preliminary response to petitions within 90 days and often again within a year, but agency officials said they had other priorities.

Steve Thompson, manager of the agency's California-Nevada office, said a preliminary review determined an in-depth examination was warranted. The conclusion triggers a 12-month review to determine whether a listing should be proposed.

"The finding does not mean that the service has decided it is appropriate to list the Sand Mountain blue butterfly. It is the first step in a process that triggers a more thorough review of all the biological information available," Thompson said.

Thompson said the small, pale-blue butterfly with a wingspan of less than an inch is known to exist only at Sand Mountain in Churchill County . It lives in close association with its host plant, Kearney buckwheat, on an estimated 1,000 acres within and next to the BLM recreation area.

"BLM must manage Sand Mountain for true multiple uses, including recovery of the butterfly, not just off-roading," said Charlie Watson, director of the Nevada Outdoor Recreation Association. He said Clayton Valley Dunes near Silver Peak in Esmeralda County is more appropriate for intensive off-roading.

Off-road vehicle groups don't believe the butterfly or its habitat are endangered.

The conservationists' "intent is to shut down Sand Mountain," said Jon Crowley, a member of Friends of Sand Mountain, a four-wheel-drive club that has been encouraging off-roaders to stay out of posted butterfly habitat. "The truth is, they would like to see all off-roading banned from public."

"The biggest problem is the Endangered species Act is slanted toward being too cautious. It really needs to be reformed," Crowley said from his home in California .

Patterson said only a federal listing will save the butterfly at the 600-foot tall, two-mile long sand dune where an ancient lake once existed. Voluntary restrictions on off-road use have been unsuccessful, he said.

"The BLM has allowed 80 percent of the habitat to be destroyed there and refused to protect the remaining habitat," he said. "We certainly aren't going to let the Sand Mountain butterfly go extinct by somebody's idea of fun _ driving all over its habitat."

Patterson said listing the butterfly as endangered would "bring more resources, focus and management to save this species."

" Sand Mountain will not be closed to off-roading. I don't foresee that. That is certainly not our objective."