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Agency to Curb Access to Desert In Settlement With Green Groups

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The Bureau of Land Management agreed to more vigorously restrict access to 11 million acres of fragile California desert as part of an out-of-court settlement with environmental groups that legal observers say appears to fly in the face of Interior Secretary-designate Gale Norton's philosophy of a looser rein over public lands.

As part of the agreement, the bureau has pledged to curb public access to wide swaths of wildlands located between the Mexican border and the eastern flank of the Sierra Nevada that are inhabited by endangered species such as the desert tortoise and bighorn sheep. For example, the federal land managers are cordoning off 49,310 acres of the Algodones sand dunes, a Sahara-like landscape of windswept dunes along the Mexican border, to protect a threatened plant called the Peirson's milkvetch from off-road recreational vehicles.

Attorneys for groups that sued the agency last year say the bureau essentially is agreeing to enforce protections that should have been implemented after Congress designated nearly all of California's vast southern deserts as a federal conservation area in 1976. Instead, the law-

yers say, private interests have been allowed to encroach on the land while bureaucrats struggled for ways to implement the protections.

"For years and years, these endangered species in the California desert have been languishing in a planning limbo," said Daniel Patterson, desert ecologist for the Center for Biological Diversity, an environmental group based in Tucson, Ariz., and plaintiff in the suit. "This deal sets the stage for a whole new way of conservation in the California desert."

That group along with the Sierra Club and Public Employees for Environmental Responsibility sued the bureau in U.S. District Court in San Francisco in March, accusing the agency of letting off-road vehicles, ranchers and miners run roughshod over pristine desert. For example, they said agency managers looked askance when one company put a microwave tower amid ancient Indian dwellings.

Bureau officials wouldn't comment on the matter, except to acknowledge the agency did enter into settlement talks last August. Though the accord comes in the waning days of the Clinton administration, lawyers said the timing is coincidental. The settlement is subject to court approval.