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## Greens put feds on notice over trout

**Intent to sue: The cutthroat was improperly denied protection, conservationists contend**

BY JASON BERGREEN  
THE SALT LAKE TRIBUNE

Several conservation groups, including one from Utah, are threatening to sue the U.S. Fish and Wildlife Service for denying Utah's state fish protection under the federal Endangered Species Act.

The Southern Utah Wilderness Alliance (SUWA), the Center for Biological Diversity, Pacific Rivers Council and the Biodiversity Conservation Alliance filed a 60-day notice of intent Wednesday to sue the Fish and Wildlife Service. The groups are asking for a reversal of a 2001 decision to leave the Bonneville cutthroat trout off the list of endangered species.

"It's a fish that should be and needs to be on the front burner to protect, and it's simply not getting the attention from the Fish and Wildlife Service," SUWA staff attorney Steve Bloch said.

A petition to list the Bonneville cutthroat as an endangered species was filed in February 1998. According to the defunct Biodiversity Legal Foundation, which is now the Center for Biological Diversity, the population of Bonneville cutthroat has been eliminated from about 90 percent of its range and continues to be threatened by non-native trout, such as the rainbow.

"The numbers of fish simply aren't improving," Bloch said.

Fish and Wildlife spokeswoman Diane Katzenberger said the service contin-

ues to protect the Bonneville cutthroat.

"The Bonneville cutthroat population remains widely distributed, viable and self-sustaining," she said.

Katzenberger said no one at the Fish and Wildlife Service could comment on the intent notice or the potential lawsuit because "no one has seen it."

The 60-day notice states that U.S. Department of the Interior Secretary Gale Norton "failed to use the best available scientific information in making a negative 12-month determination for the Bonneville cutthroat."

The conservation groups also contend the cutthroat is in danger because of habitat loss and degradation caused by logging, mining and livestock grazing.

"The habitat protection just isn't there," said Noah Greenwald, a biologist for the Center for Biological Diversity.

The Bonneville cutthroat is recognizable by bright crimson markings underneath its jaw. The cutthroat is found mainly in the Snake Valley region of western Utah and small streams along the Bear, Logan, Jordan and Spanish Fork rivers. It is also found in parts of Idaho, Wyoming and eastern Nevada.

In April, the Fish and Wildlife Service refused to consider legal protection for the Colorado River cutthroat. Legal action by the Center for Biological Diversity was also threatened in that case.