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Lawsuit aims to halt guzzlers

Environmentalists groups upset about artificial water sources in

Mojave National Preserve

By Kelly Donovan
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BARSTOW — Two environmental groups filed a federal lawsuit Tuesday against the National Park Service, aiming to stop the expansion of artificial water sources in the Mojave National Preserve east of Barstow.

In the lawsuit, the Center for Biological Diversity and the Public Employees for Environmental Responsibility ask that the National Park Service stop working on plans to convert four former ranchers' well systems into guzzlers — man-made watering holes for wildlife.

The lawsuit contends that the conversion plans should be subject to review under the National Environmental Quality Act.

PEER and the center argue that guzzlers are problematic for desert tortoises, which are listed as "threatened" under the Endangered Species Act. For example, guzzlers can attract tortoise predators such as ravens, according to the suit.

The question of whether to convert the wells in the preserve surfaced in recent years as the National Park Foundation bought the grazing allotments of ranchers there. The ranchers moved out of the area — leaving behind their well systems.

Documents show that the Mojave National Preserve staff had concerns about artificial watering sources in the preserve, but nevertheless authorized the conversion of the former ranch wells into guzzlers for mule deer.

Preserve Superintendent Mary Martin wrote about artificial water sources in a June 17, 2002, memo to Paul Hoffman, the Interior Department's deputy assistant secretary for fish, wildlife and parks.

Among her remarks in the six-page memo, which the groups provided to the media, was that the preserve staff had "identified the need to return human-disturbed areas to their former natural conditions," which "might entail ... the removal of existing small and large wildlife guzzlers."

She also wrote that while "hunters had the impression that enhancing wildlife populations by artificial watering sources would be a simple change in philosophy," that would be "contrary to our mission, policies and legal foundation."

However, she authorized the conversion of the former ranchers' wells into guzzlers in a Jan. 31 letter to the California Department of Fish and Game.

PEER board member Frank Buono and Center for Biological Diversity Desert Ecologist Daniel Patterson said they believe Martin received orders — probably from Hoffman — to have the guzzlers installed. Buono retired in 1997 as the preserve's No. 2 official.

Patterson points to a July 30, 2002, e-mail from Hoffman to a hunting advocate in which he said that he was "still working ... to determine what we can or cannot do in the way of maintaining at least some of the water developments" in the preserve.

"I think the Mojave National Preserve staff there in Barstow had it right when they said we don't really need these additional

guzzlers," Patterson said. "We don't need this kind of political meddling."

Guzzlers for game are widely viewed as a benefit for hunters, but Patterson said the center is not opposed to hunting in the preserve, and he is a hunter himself.

"I think hunting would be better if you maintain a natural ecosystem," he said.

Hugh Vickery, an Interior Department spokesman, and Ben Porritt, a Justice Department spokesman, both said Tuesday that they couldn't comment on the litigation.

The Mojave National Preserve encompasses more than 1.5 million acres east of Barstow, sandwiched between Interstate 40 and Interstate 15. The preserve staff's office is in Barstow.