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Environmental warriors

Two groups wage fight differently

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They're the two young guns of the environmental movement. Well, more like one cocky young gun and one soft-spoken young banker.

And they've had a big impact in Southern California.

The Center for Biological Diversity, based in Tucson, Ariz., lobs lawsuits like hand grenades, routinely taking on federal wildlife agencies and winning.

It has an incredible 88 percent batting average in court, meaning 105 victories in 120 cases that have been decided.

In a recent victory, the center forced the four Southern California national forests to take steps to save endangered species.

In contrast, The Wildlands Conservancy, based in Oak Glen, prefers quiet back rooms where its low-key negotiators buy up land with money from publicity-shy donors donors with very deep pockets.

Wildlands is half-way through the largest conservation land swap in state history, with most of that land in the San Bernardino County desert.

"We have always thought big, and have gotten some large donors," said David Myers, 48, the director and co-founder of the group.

The Wildlands Conservancy raised $26 million toward the purchase of nearly 500,000 acres of former railroad land, which is scattered in a checkerboard pattern throughout sensitive desert areas, including the Mojave National Preserve and Joshua Tree National Park.

Despite having polar opposite approaches to protecting the environment, both Wildlands and the Center for Biological Diversity have striking similarities.

First, they are fairly new on the scene.

Wildlands is only 5 1/2 years old.

The center got started in 1989, and didn't incorporate until 7 years ago.

Each was launched by a couple of idealistic conservationists who decided to take matters into their own hands.

Center co-founder Kieran Suckling likens his group and Wildlands to small entrepreneurs who each found a niche in the environmental movement.

"It's good to have a diversity of activists," said Suckling, 35. "There's not one approach that will save the day."

Each remains small with full-time staffs of about a dozen people.

And their size gives them flexibility, speed and autonomy. They're cheetahs compared with elephants, such as the Sierra Club, which remain big, important and powerful if somewhat unwieldy.

Differences in approach aside, each group likes and respects the other.

"The Wildlands Conservancy is probably the most effective land purchasing organization we're aware of," said Peter Galvin, co-founder of the Center for Biological Diversity. "We're pretty lucky to have them around."

He even joked they're so good, they could put the center out of business "because everything will be protected."

Myers of Wildlands said of the center: "What I see them doing is just seeing the law is complied with. It's great someone is doing that."

Wildlands just sort of evolved, Myers said.

He and the late Vivian Hull of the local Audubon Society had

worked together to preserve parts of Pioneertown north of Yucca Valley, and somewhere along the line they decided to start a conservancy. Their first big target was the 85,000-acre San Emidio Ranch in Kern County.

"It was primeval California at its very best," said the soft-spoken Myers, as he strolled around among the oak and Sequoia trees of the headquarters at Los Rios Rancho in Oak Glen. The ranch in Kern County was home to hundreds of deer and had 30 square miles of grassland and colorful cave art painted by the Chumash Indians.

But their original goals were comparatively modest.

"Me and Vivian toured the ranch and said, 'What if we could put together 30,000 acres?' When we approached our donors, they said, 'Why don't we buy the whole thing?'"

The other big purchases have been Los Rios Rancho, the Oak Glen apple farm that now serves as headquarters and outdoor education center for thousands of school children a year.

They also helped preserve Pipes Canyon north of Yucca Valley, along with Mission Creek between Palm Springs and Yucca Valley, and are trying to buy the Firestone Boy Scout Camp in Los Angeles County.

They plan to kick in $5 million to help complete the long-envisioned Santa Ana River trail from the base of the San Bernardino Mountains to the ocean.

While the land deals have gotten most of the publicity, Myers is most proud of the educational programs the conservancy operates or supports. About 14,000 children a year participate in its educational programs.

And the conservancy is picking up the tab for 7,000 low-income children who couldn't afford the $250 each to go to science camp. That's $1.75 million worth of education among the pine, oak and manzanita in the San Bernardino Mountains.

"It's a life-changing program for the kids," Myers said.

Not that the group, with its seemingly non-controversial ways, can always escape the snare of politics. The huge land deal in the desert depends on a $30 million contribution from the federal government.

But Rep. Jerry Lewis, R-Redlands, is fighting to expand the Army's National Training Center at Fort Irwin into prime desert tortoise habitat. The conservancy got $15 million for the land deal, and Lewis tied the balance to the expansion.

Myers, with quiet determination, said the group will not tolerate the desert deal being tied to Fort Irwin's expansion, and he was confident the final part of the land swap will get done.

Lewis declined to comment on Wildlands and its work, but in the past was critical of so much money going to one company. The old railroad lands are owned by the large San Francisco-based Catellus Development Corp., which was spun off from the Santa Fe Railway.

As Wildlands continues its quiet wheeling and dealing, the Center for Biological Diversity enjoys making as much noise as it can.

Several of its members come from the Earth First! tradition of "no compromise in defense of mother earth." Earth First! is better known in the Pacific Northwest and parts of the Southwest where its members have chained themselves to trees or gates, sat in trees and found other ways to disrupt logging or development.

Suckling said his Earth First! days of publicity stunts and pranks, such as creating official-looking signs to close a freeway where bears were getting hit, were great fun and drew attention to issues.

But he and co-founder Peter Galvin wanted to do something more effective.

They gave up the colorful noisy protests in exchange for scientific papers and law books.

"We shifted gears to science and law," Suckling said.

The group started in 1989 as the Greater Gila Biodiversity Project, and was incorporated in 1993 as the Southwest Center for Biological Diversity, before changing its name again last August to the Center for Biological Diversity to reflect its broadening scope.

It was Suckling and Galvin's part-time work for the U.S. Forest Service doing surveys for the Mexican spotted owl that convinced them the federal agencies didn't always have the best interests of rare species at heart.

The Forest Service seemed more concerned with logging, mining and grazing than with species on the brink of extinction.

"We became aware in working for the Forest Service there needed to be a watchdog group for lands agencies," said Galvin, now based in Berkeley.

They scraped by with no funding for several years, continuing to work part-time for the U.S. Forest Service, "which liked us less and less," Suckling said. They challenged timber harvest plans and petitioned to list species as endangered, before finally getting a grant from the Ted Turner Foundation. They could then actually pay salaries of $200 a month.

"Every kind of money-saving trick in the world, we employed," Galvin said, such as calling government agencies at lunch time when they knew no one would be there. Then the agency staffers would have to call back on the government's dime.

Now their annual budget has grown to $700,000, allowing them to pay top staffers among the 15 or so full-time employees up to $30,000 a year.

And the cost of the legal battles usually comes from the agencies they beat in court. They largely sue on aspects of the Endangered Species Act that wildlife agencies have failed to follow, such as designating critical habitat for a particular animal or plant or meeting statutory deadlines to impose regulations.

The U.S. Fish and Wildlife Service considers the critical habitat designations to be a low priority and unnecessary. When the center sues, it almost can't lose because the law is clear. Then the loser, namely the government and indirectly the taxpayer, pays the center's attorneys' fees.

The only pay the attorneys get is from those fees.

Some agency officials argue the barrage of lawsuits is counterproductive by tying up time and money that could be better be used protecting species.

"Other than getting a lot of publicity, we feel they're hurting the conservation of species," said Patricia Foulk, a spokeswoman for the U.S. Fish and Wildlife Agency in Sacramento. "We're wasting a great deal of dollars that could go to conservation."

Suckling counters the agencies are the ones wasting time by not following the law.

"The agency only has itself to blame, the way every criminal has himself to blame when he's in jail," he said.

Both groups, even with their strategies at opposite ends of the spectrum, have a role to play along with the more-established environmental groups, said Elden Hughes of the California/Nevada desert chapter of the Sierra Club, and one of the many key players in the 1994 California Desert Protection Act.

The legalistic guerrilla attacks of the center and the quiet wheeling and dealing of Wildlands have a place alongside the broad political clout of the Sierra Club, he said.

"We complement each other very well," Hughes said. "We have an incredible activist base. No one comes close... no one ever accused the Sierra Club of being efficient, but it's effective."