

Third Plan May Be Charm For Aiding Minnows

Upper San Pedro Left Out In Effort To Get Strategy OK'd

By Tony Davis
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In their third try in two decades, federal officials are proposing to formally list more than 630 miles of Southwestern rivers as prime living grounds for two imperiled species of minnows.

The areas include a host of Arizona and New Mexico rivers and streams, including portions of the Gila, San Francisco, Verde, Blue and Lower San Pedro rivers.

But the proposed critical habitat designations for the spinedace and loach minnow contains a crucial omission that is good news for Sierra Vista in its 20-year struggle over the fate of the San Pedro River.

The U.S. Fish and Wildlife Service opted to leave out of the proposal the Upper San Pedro, including the 40-mile-long San Pedro Riparian National Conservation area.

That stretch of river was in an earlier version of the prime habitat that the service has since discarded for legal reasons.

It was dropped from the new proposal in part

because no one has seen either species — slender minnows that are no longer than a standard-sized pencil — in that section of river since the 1960s.

Another reason is the river contains non-native fish that could outcompete with natives, said Jeff Humphrey, a service spokesman.

Because such habitat plans could mean stiffer regulations on Sierra Vista's and Fort Huachuca's growth in water use, a Sierra Vista official was pleased by the new proposal.

For any federal project or project that needs a federal permit, habitat designations lead to extended studies, biological opinions and other hurdles that could make life more difficult for Fort Huachuca, said Chuck Potucek, Sierra Vista's city manager.

"It's part of the strategy of the Center for Biological Diversity to get as much critical habitat as possible, to hinder the fort or its projects," Potucek said. "If it's merited, it's one thing.

If it's not, it's just needless."

But a Fort Huachuca official said the proposal won't change how it tries to conserve water and otherwise balance the area's groundwater pumping deficit. That's because critical habitat in the river already exists for an endangered plant species, the Huachuca water umbel.

While three habitat designations might mean a little more work than one, in the end "it's more of the same," said Jim Hessel, a scientist in the fort's environmental division.

The Center for Biological Diversity, an environmental group that went to court to get this habitat selected, called the proposal a seasonal "lump of coal," in part because the two fish have lost 85 percent to 90 percent of their original habitats of more than a century ago to various human activities including grazing, water pumping and introduction of non-native fish.

The fish probably can't recover in their current, isolated populations in various streams, said

Michelle Harrington, the center's rivers coordinator.

A retired Fish and Wildlife Service biologist was also disappointed by the new proposal, on the grounds that the fish still could be reintroduced in the San Pedro River.

Sally Stefferud has sampled the river for the fish as a volunteer without success for 18 years. But she still believes the Upper San Pedro is one of the best potential reintroduction areas.

"We don't have many places left to reintroduce them because so many rivers in Arizona are dry," said Stefferud, who retired from the service in 2002.

The minnows, both less than 3 inches long, require perennial streams and live in shallow riffles that contain sand, gravel and various other soils free of fine sediments. They prefer moderate to swift currents, and like swift pools. The spikedace is silver-sided. The loach minnow is olive-colored.

Critical habitat is one of the hottest-button issues involved in continuing disputes over enforcement of the U.S. Endangered Species Act. The law forbids destruction or "adverse modification" — a

term that's never been defined — of such habitat. Typically, federal projects or private projects needing federal approval that lie in these habitats undergo extensive federal studies and reviews before they can be built.

For years, the service has said it believes critical habitat makes little difference in its handling of endangered species, because it believes that other parts of the federal law give species all the legal protection needed.

That opinion isn't shared by environmental groups such as the Center for Biological Diversity, or by many developers and other parties who have gone to court to remove habitat designations.

Minnow habitat history:

1986: U.S. Fish and Wildlife Service proposes critical habitat for the spikedace and loach minnow.

1994: Service approves 296 river miles of habitat, but a federal judge overturns it because the service hadn't analyzed the plan's environmental effects.

2000: Service approves a new plan for 898 miles of prime minnow habitat.

2004: Service voluntarily withdraws that plan because of a federal court decision saying the service's economic analysis of another habitat plan was inadequate.

2005: Service proposes a third plan for 633 miles of habitat.

August 2006: Deadline for service approval of habitat proposal.

To comment on the latest habitat proposal:

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