Forests under Fire
Administration’s roadless reversal brings fight closer to home

The Bush administration landed a fearsome blow to our national forests in early May when it opened our last 58.5 million acres of pristine national forest roadless areas to road-building.

The decision came down despite an extended public comment period to accommodate passionate letters and phone calls from millions of Americans asking for protection of forest wilderness, intact old-growth, and forest-dependent wildlife.

Unfortunately, it’s clear that where this administration’s new roads lead, aggressive logging, mining, and other short-sighted commercial exploitation will surely follow.

The Center and other conservation groups across the country are lining up to challenge the Bush policy. In the meantime, the fight to save roadless protections from the administration’s ax now moves a little closer to home.

Under the Bush policy, governors who want to uphold roadless protections in their states’ forest lands must petition the federal government to do so.

That provision has its bright side: several governors in key western states—which harbor the majority of the nation’s most pristine forest—are already speaking out against the administration’s plan and pledging to uphold strong forest protections at home. Among them are New Mexico Governor Richardson, Arizona Governor Napolitano, and California Governor Schwarzenegger, who have declared that roadless areas in their states’ forests will remain roadless.

Unfortunately, politics and the power of the purse will play a big role in deciding whether other governors—including those in Alaska, Idaho, and Utah—are willing to jump to the defense of the public’s national forests. Many—seduced by incentives to open forest lands to the timber, mining, oil and gas industries—are expected to use the administration’s policy change to exempt their states from any obligation to preserve roadless areas under their watch.

Worse, even governors committed to protecting roadless areas in their states are expected to endure a cumbersome and costly petitioning process designed to inflict political damage to those governors. The final irony is that once a governor jumps through all these hoops, protection of that state’s roadless areas will still be subject to approval from the U.S. Forest Service—which takes its direction from the administration itself.

The administration’s reversal of the Roadless Area Conservation Rule is one more in a long series of actions aimed at eliminating national public debate and scientific oversight on its environmental policies. It is

Forests continued on back page...
Defending our Delicate Deserts

From sinuous, sun-baked dunes to miles of twisting rivers, deserts appear at first glance to be fierce—but in truth they are amazingly fragile.

Deserts harbor abundant and diverse life—critters and plants specially adapted for searing drought, extreme heat and cold, and high winds. This unique balance underlying desert life evolved over eons of slow geological change. So when damaged by abrupt and jarring modern changes, our deserts—as hardy and resistant as they appear—take decades to repair.

Unfortunately, there’s currently plenty of political fuel to fire destruction of the four main deserts in the U.S.: the Mojave, Great Basin, Sonoran and Chihuahuan. Ongoing threats include intense pressure from urban sprawl, off-road vehicle abuse, livestock production, mining and groundwater pumping.

The Center is working to change that, and we’ve been making progress with your help. Here are just a handful of highlights from our recent Deserts Program work:

**The Mojave**

In the Mojave National Preserve this spring, the Center worked with Public Employees for Environmental Responsibility to successfully block construction of “guzzlers,” artificial waters for game farming that are often deathtraps for native wildlife.

These guzzlers have a particularly negative effect on desert tortoises, who drown in the guzzlers or are preyed upon by congregations of ravens attracted by the water. Artificial watering also harms native wildlife by subsidizing alien species like burros and Africanized bees.

Further north, in the Panamint Range near Death Valley, we recently partnered with Desert Survivors to lead overnight hiking trips to Surprise Canyon, one of the best streams in the Mojave.

Since waterfall-winching jeeps were banned in 2000 as a result of work by the Center and Sierra Club, Surprise Canyon is rejuvenating—and becoming a popular hiking destination. Death Valley National Park, which manages upper Surprise Canyon, wants to keep vehicles out, but the BLM is considering letting off-road winchers and tree cutters in. We’ll all need to speak up to ensure an upcoming management plan protects the canyon.

**The Sonoran**

In Southern Arizona, pumas are an integral part of a healthy desert. Yet in 2004, the Arizona Game and Fish Department, with the blessing of the U.S. Forest Service, pursued a mountain lion killing campaign in Tucson’s Sabino Canyon and statewide.

Problem is, they didn’t confirm citizen reports, which are often wrong; nor did the department pursue other solutions before reaching for their guns, such as hazing or temporarily restricting access to the canyon.

With broad public support, the Center worked vigorously to protect the cougars and helped initiate constructive changes to Arizona mountain lion policy, including more public education on reducing conflicts with lions.

In southeastern California, the Center is working tirelessly to protect the Algodones Dunes—home to the endangered Peirson’s milkvetch, Andrew’s dune scarab beetle, desert tortoise, flat-tailed horned lizard, and many other rare and beautiful species.

We continue to challenge the administration to uphold Dunes closures from off-road vehicle traffic, which tears up native vegetation and crushes wildlife who escape the heat by burying themselves in the sand.

The Center recently petitioned to protect 17 Dunes “endemics”—animals and plants found nowhere else in the wild.
The Chihuahuan

Oil and gas drilling on public lands is booming under the Bush administration. The sand dune lizard in the Chihuahuan Desert of southern New Mexico and west Texas is one of many species feeling the tightening grip of habitat loss from big energy greed.

These lizards depend upon “habitat island” sand dunes in a very small area of the Chihuahuan where dune blowouts are topped by shinnery oak trees. Because their habitat is so geographically limited, and oil drilling is so accelerated, the lizards are gravely imperiled. The Center has petitioned for Endangered Species Act protection for the sand dune lizard.

In the Chihuahuan Desert and elsewhere, livestock production degrades desert habitat on several levels. When cattle or sheep eat grass and vegetation, invasive plants that are quick colonizers displace native grasses and do less to keep soil from eroding. Food sources that would otherwise go to native species are eaten instead by livestock—starving out natives or leaving them nutritionally deficient. Waters are diverted to stock tanks, and native predators and other wildlife are killed due to misinformation about conflicts with cows. The Center is supporting a national coalition offering ranchers a positive plan for voluntary grazing permit buyouts, a great way to restore deserts and end conflicts.

Fighting for the Fierce but Fragile

Deserts can appear fierce at first glance, but the threads of their web of life are fragile. Human activities greatly threaten desert areas, but there is also much we can do to be better stewards of our wild deserts.

The Center hosts a number of Desert Program outings each year—it’s our hope that helping people explore our “great American outback” will foster an understanding of the need to tread gently on our most delicate and precious desert lands, and leave broad swaths of those lands protected as wilderness.

Watch our website and online editions of Endangered Earth for future desert outings and other ways you can take action; to sign up for our online newsletter, visit www.biologicaldiversity.org.

T. DeLene Beeland, an outreach specialist working with the Center this summer, contributed to this article.
Center takes new steps to save San Pedro River

It is the Southwest’s last wild, free-flowing and undammed river, but the San Pedro is fast disappearing. Excessive groundwater pumping is hastening the river’s demise, fueled by explosive growth at nearby Fort Huachuca and the town of Sierra Vista.

As part of our ongoing effort to preserve the river and its wildlife, the Center and Maricopa Audubon Society filed suit June 1 to compel the Department of Defense, U.S. Fish & Wildlife Service, and other federal agencies to evaluate the impact of area groundwater pumping on the river.

Recent data from the Fort’s monitoring wells confirm that over-pumping is dropping groundwater levels adjacent to the river and ultimately affecting the river’s flow. The San Pedro’s surface flow is directly linked to the underground aquifer from which water is pumped. Over-drafting that groundwater sucks river water underground to fill in missing volume.

The Fort has a history of understating its contribution to San Pedro River degradation, and though active in conserving water, has failed to comply with federal regulations.

These failures previously prompted the Center to take legal action, and in 2002 a federal judge ruled that the Department of Defense be held accountable for the impact of its growth on the San Pedro. However, the Fort continues to add personnel at a faster-than-agreed rate, and since 2002 the local groundwater deficit has increased by 134 percent.

Livestock grazing on Big Sur Coast halted for now

This spring, the Center won an interim victory for a beautiful and biologically rich stretch of Los Padres National Forest land along the Big Sur coast.

In January, the Center, Ventana Wilderness Alliance, Los Padres Forest Watch, and Ventana Chapter of the Sierra Club appealed a Forest Service decision to authorize grazing on seven coastal allotments in Los Padres. In March, the Service withdrew its decision pending more time for the agency to consider the impacts of grazing on the ecologic and aesthetic resources of the area.

In addition to providing habitat for the endangered Smith’s blue butterfly, these allotments hold outstanding scenic and recreational value, including whale-watching vistas and views of migrating monarch butterflies during winter months.

Off-leash dogs clash with wild at Golden Gate

The Golden Gate National Recreation Area (GGNRA), located in the San Francisco Bay Area, is one of our country’s boldest conservation experiments. Congress squeezed the nation’s largest urban park between some of the most expensive real estate in the country, a refuge for wildlife and city dwellers alike.

The experiment has largely worked. The park props up property values, provides recreational opportunities for thousands of visitors, and creates an oasis for wildlife.

Unfortunately, the GGNRA’s goal of bringing wildness closer to city dwellers may soon be implored due to challenges from groups demanding off-leash dog-walking privileges within the park.

In 1979, the National Park Service made a rare exception to its policy of requiring leashes in national parks, and allowed off-leash walking and voice control of dogs in some areas of the GGNRA.

But 25 years later, those privileges have turned dangerous; with no safeguards in place, off-leash dogs pose increased threats to rare plants and other wildlife, as well as other dogs, and often frighten children and birds. So in 2002, the Park Service prohibited off-leash activity in the GGNRA.
lawsuit challenging the GGNRA. The brief documents problems caused by unregulated off-leash walking and argues that allowing it in the park runs counter to the Park Service’s preservation mandate.

We will continue to advocate for restricted off-leash privileges where they pose threats to wildlife in the park, and secure stronger safeguards to prevent conflicts between dogs, wildlife and park visitors.

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**Center moves to Joshua Tree; challenges plan for sprawl near protected lands**

The Center’s office in the mountain and forest town of Idyllwild, California, moved this spring to the desert of Joshua Tree.

While we will miss the hospitality of friends in Idyllwild, our new office at the gateway to Joshua Tree National Park positions the Center at a biological hotspot, and keeps us close to our work as a watchdog over explosive urban growth in Riverside and San Bernardino Counties.

In fact, the Center is already fighting a mega-development proposed between Joshua Tree National Park and the Mecca Hills Wilderness. This spring, we formed a coalition of conservationists and landowners to take the first steps toward blocking the development.

The developer’s vision for the proposed “Paradise Valley” includes a self-contained city with 15,000 housing units, three golf courses, commercial and retail development, and roads that will attract thousands of pollution-spewing cars.

But its construction would truly mean a “paradise lost,” eating up 3,000 acres of protected critical habitat for the threatened desert tortoise.

The site also lies within an area already proposed for protection under the Coachella Valley Multiple Species Habitat Conservation Plan, which aims to conserve a network of 740,600 acres extending from the San Gorgonio Pass to the Salton Sea.

In recent years, Center actions blocked two city-sized developments near protected lands—one other near Joshua Tree National Park and another near Arizona’s Ironwood National Monument.

In the coming months, our coalition will present smarter conservation choices to the Riverside County Supervisor, outlining negative impacts of a development this size on wildlife in such a sensitive area.

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**Protection sought for Utah state fish**

In February, the Center, Biodiversity Conservation Alliance and Pacific Rivers Council filed suit against the U.S. Fish and Wildlife Service (USFWS) for denying protection to the Bonneville cutthroat trout.

The Bonneville cutthroat is Utah’s state fish. It formerly occupied much of the state’s mid- to high-elevation streams, but today is found in less than 10 percent of its historic range due to a combination of habitat destruction and introduction of non-native trout, which hybridize, predate and compete with native trout.

Responding to a 1998 petition from conservation groups, USFWS denied protection for the Bonneville cutthroat trout under the Endangered Species Act in 2001. The denial acknowledged the many threats to the fish and the loss of a majority of its range, but argued that the state of Utah’s efforts to protect the fish were sufficient.

Although the state is working to remove non-native trout from a small number of streams, it continues to stock non-natives in many former Bonneville cutthroat stream channels where cutthroat recovery should be a goal.

By its own admission, the state also has little to no jurisdiction to protect habitat for the Bonneville cutthroat trout. USFWS, on the other hand, is shirking its obligation under the federal Endangered Species Act to ensure the trout does not suffer further decline.

Efforts to protect this fish are part of a larger Western Native Trout Campaign, under which the Center and other groups are working to protect native trout across the West.

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**Hawaiian picture-wings**

The Center filed a lawsuit against the Bush administration in February for failing to protect 12 species of Hawaiian picture-wings under the federal Endangered Species Act.

Picture-wings are perhaps the most extraordinary group of Hawaiian insects known to science, and represent one of the most remarkable cases of specific adaptation to local conditions found in any group of animals on Earth.

The study of Hawaiian picture-wings has greatly contributed to our understanding of biology and evolution, and recently scientists have determined that Hawaiian picture-wings and their associated ecological communities harbor traits that may help the search to cure diseases such as West Nile virus, AIDS and cancer.

Over the past century many Hawaiian picture-wing species have declined, and dozens more are on the precipice of extinction. In order to protect some of the most imperiled Hawaiian picture-wings into the foreseeable future, the U.S. Fish and Wildlife Service proposed in 2001 to add 12 of these species to the federal endangered species list.

However, the Bush administration has refused to finalize an endangered listing for the picture-wings, and has failed to designate critical habitat for these species.

Without immediate protection under the Endangered Species Act...
The Center is working with picture-wing biologists across the country to ensure that these species, and the medical discoveries they may contain, are protected. If you have ever studied or observed Hawaiian picture-wings, or have ever visited their habitat, please contact Brent Plater at bplater@biologicaldiversity.org to find out how you can get involved.

**Gas terminal threatens islands off Baja, nesting seabirds**

Plans to build a liquefied natural gas terminal less than 700 yards from the largest-known nesting area for the rare Xantus’s murrelet recently drew the attention of seven American and Mexican conservation groups—including the Center.

The groups jointly filed a petition in May with the Commission for Environmental Cooperation in response to the Mexican government’s failure to properly evaluate the impact of a proposed ChevronTexaco facility on Baja California’s Coronado Islands.

The islands and the proposed ChevronTexaco site are 11 miles south of California’s border—where the mega-company can neatly avoid the costs and restrictions of American environmental laws.

Conservationists on both sides of the border are deeply concerned about this “energy maquiladora’s” proximity to the Coronado Islands, a biodiversity hotspot. The islands are home to 10 species of plants and animals found nowhere else on Earth, and are nesting territory for six threatened or endangered bird species.

Of particular concern is the effect of the terminal’s lights on the islands’ five nocturnal bird species, including the murrelet. Introduced lights can be disastrous for night-foraging birds. Birds may also fly into lighted structures, and lights may result in separating chicks from their parents.

The Xantus’s murrelet is a penguin-like seabird that uses its wings to “fly” underwater. The murrelet enjoys protection as an endangered species in Mexico, but is stuck on a waiting list to gain protection under the U.S. Endangered Species Act. Its numbers have declined to 10,000 birds—with more than half nesting in the Coronados.

The Commission for Environmental Cooperation, housed in Montreal, was created under NAFTA to prevent abuses by companies looking to “export” environmental damages by moving operations across the border and outside the reach of environmental laws.

While the Commission does not have the power to block the project, the Center hopes our petition will prompt greater public oversight and environmental review.

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**Center disputes junk-science report meant to sink ESA**

Richard Pombo (R-CA), chairman of the House Resources Committee, is at it again—twisting facts and figures to shore up his campaign against the Endangered Species Act.

At Pombo’s request, the U.S. Government Accountability Office (GAO) spent a year reviewing government spending on endangered species. But when the GAO issued its April report with a positive analysis, Pombo issued a misleading press release claiming that the report proves the Act has a poor recovery record.

In reality, the GAO did not even analyze the Act’s recovery record. What it did note is that failure to provide adequate funding is the major stumbling block to recovery. Pombo himself has made every effort to prevent full funding for endangered species programs.

Adding insult to injury, in May Pombo released a bogus report contending that the Endangered Species Act has a 99 percent failure rate because only 13 species have fully recovered. But his report is simply untrue.

The truth is that more than 3,000 scientists reviewed the status of nearly every protected species and concluded that the 15.5 years most species have averaged on the endangered list is an inadequate time period to measure for full recovery. A systematic review of recovery plans reveals that the average length of time projected for recovery is 30 to 50 years, and that many species will require more than 100 years.

The Center responded quickly in both cases with press releases systematically refuting Pombo’s claims. On May 10, Center Policy Director Kieran Suckling traveled to Washington, D.C. to challenge Pombo and Assistant Secretary of the Interior Craig Manson face to face in a panel debate about endangered species, land use, and property rights (Pombo did not show for the debate).

The Center also published a report in April’s issue of *BioScience*, a peer-reviewed scientific journal, demonstrating how the Endangered Species Act is indeed saving plants and animals from extinction.

Our study examined 1,095 species assessed by the U.S. Fish and Wildlife Service between 1989 and 2002. It found that the longer species are protected under the Act, the more likely they are to be recovering. The odds of success are even higher for those species enjoying the Act’s full protection, including a recovery plan and designated “critical” habitat.

For example, species with critical habitat were twice as likely to be improving as those without it.

This is not the first time Pombo has twisted the truth to suit his political agenda; the Congressman has systematically sought backhanded ways to bash the Endangered Species Act. Those tactics have included holding anti-Act hearings catering exclusively to developers and turning anti-Act bills into fundraising opportunities. And the Act is not his only target. The Center is also fighting Pombo’s attempts to go after other environmental laws including the National Environmental Policy Act.
Dam project threatens World Heritage Site
Center joins effort to protect Central America crown jewel

A former military training camp established under Panamanian dictator Manuel Noriega’s reign now serves as base of operations for an ecotourism project run by local Naso tribal members. Peter Galvin, the Center’s International Program Director, visited the Naso Kingdom and La Amistad Biosphere Reserve in February 2005.

“Hidroeléctrica? Aquí (here)?”

We were standing deep in Panama’s jungle, on the edge of La Amistad Biosphere Reserve and World Heritage Site, in one of the most biologically diverse areas on the planet. The place was magnificent, and I wanted to believe I had not heard our guides correctly—that my broken Spanish was responsible for a grave misunderstanding.

Guides from the Naso Tribe prepare a dugout canoe to take us up the Teribe River.

Unfortunately, I had not misunderstood, and by our visit’s end the magnitude of the looming threats to the area became all too clear. A series of dams, roads, bridges and powerlines are slated for construction in the free-flowing Teribe and Changuinola Rivers. Pushed by the Panamanian government and a major Columbian corporation, the proposal would forever alter the area’s wild character.

It has also sparked controversy and strife in the Western Hemisphere’s only monarchy, the Naso Kingdom. The Colombian corporation, Empresas Publicas de Medellin, is seeking funding for the project from the Inter-American Development Bank—a multi-lateral lending agency in which the U.S. government controls majority ownership and voting power.

The Teribe River begins high in the Talamanca Mountains in the heart of La Amistad Biosphere Reserve and flows into the Changuinola River. La Amistad spans international borders and is designated a World Heritage Site by the United Nations Educational, Scientific and Cultural Organization (UNESCO).

The reserve contains Central America’s largest intact tropical rainforest. Its vastness and greatly varied habitat shelter an impressive number of creatures, including nearly four percent of all terrestrial species varieties on Earth.

Because Panama is a narrow isthmus, the Teribe and Changuinola Rivers are relatively short. Fish and other aquatic creatures in these streams are predominantly of marine origin. Their life cycles depend on the rivers’ full range of habitat, from the estuary to the upper headwaters. The majority are amphidromous, meaning they travel far upstream to reproduce and rely on currents to carry their eggs or larvae back to the sea. Others’ cycles are reversed; they migrate to the sea to spawn, but return to the rivers as juveniles.

Our guides pointed out an amazing array of species, including this poison dart frog.

The first phase of the project is to dam the Bonyic River—a major tributary of the Teribe—which would permanently impact more than 100 miles of stream habitat. Some of the river’s fish and shrimp are evolved to scale waterfalls and other natural barriers and may be able to make it past the dam. But they rely on currents to orient themselves when migrating, and would have a difficult, if not impossible, time maneuvering through slack waters in the artificial impoundment behind the dam.

Even if they successfully reproduced, the eggs and larvae of the amphidromous species—those that must reach the estuary to survive—would instead reach the impoundment, sink, and die.

The dam would also flood portions of the Naso Tribe’s territory. Numerous tribe members are concerned that the project would destroy the centerpiece of their cultural and natural heritage. The Center has joined Naso Tribal members, Panamanian organizations and a growing international movement to provide legal research and advocacy, outreach assistance and financial support in order to protect this important area.

Take Action!

To become involved in this project, please contact Peter Galvin at pgalvin@biologicaldiversity.org or 415-436-9682.

To arrange a guided visit with the Naso Indian-run eco-tour group ODESEN, please see http://ice.prohosting.com/hbocas/odesen.htm.
Forests under Fire continued from front page

also just one of the administration’s many moves to cater to industry by compromising forest protections:

- In 2002, Bush seized on the summer’s wildfires as a fear tactic to shore up his misnamed “Healthy Forests” proposal that used the smokescreen rhetoric of “fire prevention” and “fuels reduction” to justify increased old-growth logging.

- Just last year, the administration went after major forest management plans in California and the Pacific Northwest, severely weakening existing protections for old-growth and numerous endangered plants and animals.

- In December 2004, the administration announced crippling changes to the National Forest Management Act, the foundation of forest planning across the U.S. since the mid-1970s. The administration’s changes exempt key management decisions for our national forests from national scientific or judicial review and rob the public of our right to appeal decisions that place our forests in jeopardy.

The Center has recently filed suits to challenge the administration’s attacks on regional forest management plans, as well as the National Forest Management Act. We are also working more diligently than ever to win greater protection for plants and animals that would suffer serious declines as a result of increased logging in their habitat.

In the months ahead, our western governors will decide what their legacy will be in protecting the forest lands entrusted to them by the public. We will be mobilizing our members to join us in asking our governors to act wisely for the future protection of our forests, not for the administration’s right to squander them for short-term profit.