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BUSH ADMINISTRATION WAR ON ENVIRONMENT CONTINUES: DECISIONS TO PROTECT WILDLIFE ON COLORADO FORESTS GUTTED

Agriculture Secretary Orders Forests to Ignore Science and Reagan-Bush Rules; Stage Set for Species 'Train Wrecks' in State

In another in a lengthening line of Bush Administration decisions to undercut environmental protection, Secretary of Agriculture Ann Veneman overturned decisions made by the Chief of the Forest Service in January to require better information about and protections for wildlife on two national forests in Colorado. A decision on a third national forest was also severely weakened. The Secretary's decisions attempt to gut a Reagan-era regulation requiring protection of native wildlife and wildlife habitat on national forests.

Specifically, her decisions mean that recently-adopted Forest Plans for the Arapaho-Roosevelt and Routt National Forests (NFs) in Colorado will stand, despite the fact that the forests failed to gather virtually any information on scores of imperiled and declining wildlife and plant species on the three forests. The Rio Grande Forest Plan will still need to be revised, but the Secretary's order severely restricts future wildlife protection efforts. The three Colorado forests span nearly 4.5 million acres.

The impact of the decisions will reach far beyond Colorado, since the Secretary's decisions are intended to "offer general guidance to the Forest Service" about the interpretation of Forest Service wildlife regulations.

"This is another assault in President Bush's all-out war on the environment," said Pam Eaton, Director of The Wilderness Society's Four Corners office. "President Bush has killed measures to keep poison out of our water, attacked reasonable controls on destructive mining, and abandoned efforts to protect the planet from greenhouse gas emissions. With this decision, the Administration is severely undercutting measures to protect our wildlife heritage on National Forests that were endorsed by the Reagan Administration."

Jacob Smith, Conservation Director of Colorado-based Center for Native Ecosystems, agreed. "This decision means that the Bush Administration's number one policy for managing wildlife habitat on national forests is to put on a blind-fold -- to say 'don't confuse us with the facts,'" said Smith. "All three forests failed to gather the most basic information needed to protect Colorado's precious wildlife heritage." He noted the forests generally collected no data on where most species are on the forest; how alternative plans would impact them; what kind of habitat they need to survive, reproduce, and move around; and how the plans would reduce threats to these

declining species. "This is the kind of information that even a high-school biology student knows is absolutely necessary to figure out how wildlife is doing," said Smith.

In his January decisions, Chief Michael Dombeck and a team of Forest Service experts concluded that the Forest Plans were illegal because they lacked essential information on the habitat needs of imperiled and declining wildlife, the locations of important habitat, and the impacts the Plans would have on these habitats. For the Routt and Arapaho-Roosevelt NFs, Secretary Veneman concluded that it was permissible to omit all of this essential information about scores of at-risk species (44 on the Routt, and 45 on the Arapaho-Roosevelt). Secretary Veneman's rulings mean the Forests need not undertake any further efforts to ensure the viability of the Colorado River cutthroat trout, wolverine, western boreal toad, pine marten, and northern goshawk, all species that are declining or at-risk on Colorado forests.

The rules that require forests to ensure the viability of wildlife species, and which Secretary Veneman has interpreted to be virtually meaningless, were mostly a product of regulations and policy put in place by Presidents Reagan and George Bush. The Chief's decisions represented a consistent interpretation of these rules. In 1999, the Chief ordered the Black Hills NF to revise its plan for similar failings. Federal court decisions have required the Forest Service to revamp forest management to provide greater protection for wildlife in the Southeastern US.

The Secretary's decision may also lead to the termination of broad, ongoing Forest Service efforts in Colorado to protect wildlife. In early 2000 - well before the Chief's decision on the appeals of the three Colorado Forest plan revisions - the Forest Service's Rocky Mountain Region in Denver began a "coordinated species conservation process" to address at a regional level the agency's failure to base wildlife decisions on sound science in Colorado. The strategy, on which the agency has invested tens of thousands of dollars, and which was scheduled to be completed in six months, may now be scrapped.

"A major purpose of the wildlife protection rules is to help the Forest Service get ahead of problems, to help plan for declining species so that they won't need the protection of the Endangered Species Act," said Ted Zukoski, an attorney for the Land and Water Fund, a non-profit conservation law firm. "This decision means that Colorado may well get stuck with the kinds of 'train wrecks' we saw in the Northwest Forests with the spotted owl." Zukoski explained that in the Northwest, the Forest Service was repeatedly sued, and logging repeatedly halted, because the agency had failed for decades to gather needed information and put in place required protections for the northwest spotted owl and other ancient forest-dependent wildlife. "It's much smarter, more cost effective, and better for wildlife to start fixing the problem now rather than requiring the courts to fix things later. But now court's the only place we can go." Zukoski said that conservationists were investigating suing to overturn the Secretary's decisions.

The Secretary's decisions came in response to appeals filed 2-3 years ago by conservationists. The Forest Service only issued the decisions after conservationists sued over the agency's unlawful delay in responding to the appeals. Those conservation groups that appealed one or more of the Forest Plans included: Backcountry Skiers Alliance, Biodiversity Associates, Biodiversity Legal Foundation, Colorado Environmental Coalition, Colorado Grizzly Project, Colorado Trout Unlimited, Forest Guardians, High Country Citizens Alliance, Predator Conservation Alliance, San Luis Valley Ecosystem Council, Sierra Club, Sinapu, Southern Rockies Ecosystem Project, The Wilderness Society, and Wildlands Center for Preventing

Roads. The LAW Fund represented the conservationists on appeals of the Rio Grande and Arapaho-Roosevelt National Forests.

The Chief's decisions on the appeals, and the Secretary's decision overturning them, can be found at <http://www.fs.fed.us/forum/nepa/lrmpdecisions.html>.