

Endangered earth

Inside this Issue

Fall 2006

Get the Lead Out

Campaign aims to stop condor poisoning

Get the Lead Out – the Center’s campaign to stop the poisoning of highly endangered California Condors – is headed to the courts.

This past summer, the Center and a coalition of conservation and health organizations announced plans to file a lawsuit under the federal Endangered Species Act against the California Fish and Game Commission, for continuing to allow use of toxic lead ammunition in condor habitat. The lawsuit will be filed by the end of the year.

Since the California Condor reintroduction program began in

1992, at least 14 condor deaths have resulted from lead poisoning. Add to that more than 75 incidents requiring poisoned condors to undergo invasive chelation therapy to “de-lead” their blood after they fed on lead-tainted animal carcasses. Since 1995, lead poisoning is the leading cause of death for reintroduced condors.

Carcasses and gut piles left by hunters can contain spent lead ammunition, which scavenging condors ingest. A 2003 study commissioned by the California Department of Fish and Game (CDFG) estimated that more than 30,000 lead-contaminated

■ At Tejon Ranch, a Vision for a Natural Heritage Park Unfolds ...page 2

■ Program News ...page 4

■ From D.C.: Legislative Update on the ESA ...page 7

■ On Other Shores of Our Ocean Planet ...page 8

■ In the Jaguar’s Homeland ...page 10

carcasses are left in the condor’s range annually. With only 135 condors now in the wild and the potential for mass poisonings, condor experts and toxicologists have been warning for several years that continued failure to address the lead exposure problem – known since the 1980s – could stymie the reintroduction program’s success.

A Center petition to the Fish and Game Commission for a phase-out of lead bullets in condor habitat was unreasonably and summarily rejected in 2005. Attempts in 2005 and 2006 to introduce bills in the California State Legislature requiring use of non-lead ammunition for hunting in the condor’s range were defeated after lobbying by the National Rifle Association and other hunting organizations, despite availability of such ammunition for big game hunting.

The Commission, the Governor and CDFG excuse their inaction

Get the Lead Out continued on back page...



Photo by Scott Frier, USFWS

Since the reintroduction program began in 1992, at least 14 California Condor deaths have resulted from lead poisoning. The Center’s Get the Lead Out campaign is working to establish rules requiring use of non-lead ammunition for hunting in the condor’s range.



ADVOCACY SPOTLIGHT

Ilene Anderson, *Ecologist*

A Vision for Tejon

Center leads charge to set aside state or national park

California's natural epicenter

Tejon Ranch is California's quintessential natural landscape. It lies at a crossroads where valleys, mountains and deserts meet, straddling the Tehachapi Range of the southern Sierra Mountains from the San Joaquin Valley floor to the desert slopes of the Antelope Valley.

The "Grapevine" section of Interstate 5 along the western edge of Tejon Ranch affords views of oak-dappled grasslands and chaparral. In spring, the slopes explode with stunning wildflower shows.

Tejon is home to as many as 80 imperiled species, including the California Condor. But because this wild expanse also encompasses more than 270,000 acres of private land between Los Angeles and Bakersfield, it is vulnerable to urbanization. Several proposed developments threaten to transform this rich and irreplaceable landscape into just another stretch of sprawl.

Teaming with other groups, the Center launched a campaign this summer to ensure that the ranch lives on as a natural treasure, protected as a state or national park.

Creatures great and small

Due to its location at the convergence of four "eco-regions" – the Great Central Valley, Mojave Desert,

Sierra Nevada and South Coast – scientists consider Tejon Ranch a "hotspot" of biological diversity, a highly unique concentration of plant and animal species.

From towering valley oaks to their diminutive scrub oak cousins, Tejon contains the richest number of oak species in the state. Incomparable native grasslands on the east side of Tejon represent a plant community that has been virtually eliminated throughout most of California and the West, and support Pronghorn Antelope, the namesake for the eastern valley.

In addition to the California Condors that still soar overhead, imperiled animal species that depend upon Tejon for habitat include



Tehachapi Slender Salamander

the San Joaquin Kit Fox, California Spotted Owl and Tehachapi Slender Salamander.

Tejon provides essential habitat, but it also supports crucial biological connections between adjacent protected

natural lands. Mountain lions, coyotes, deer, pollinating insects – even plant seeds – all need Tejon's wild corridors to move freely between the Sierras, Coast Ranges, Central Valley and Mojave Desert.



San Joaquin Kit Fox

People, past and present

Tejon Ranch harbors a rich cultural legacy for Native American tribes, including sacred places essential for maintaining and revitalizing tribal culture.

Sacred sites and historic villages are located throughout the property, including areas currently slated for development. Historic *ranchos* and other ranching artifacts from the Californio and Mexicano periods also remain on the ranch. Tejon is truly

Photo courtesy of USFWS

Photo by Gary Nafis

a living history of California's rich and extraordinary past.

Rockin', rollin' landscape

Tejon Ranch sits atop a highly active tectonic plate and earthquake fault zone. The southern part of Tejon, where the massive Centennial housing development is proposed, lies along the mother of all fault lines in California – the San Andreas fault. Another large development, Tejon Mountain Village, would sit at the convergence of the San Andreas with the Garlock fault, California's second largest.

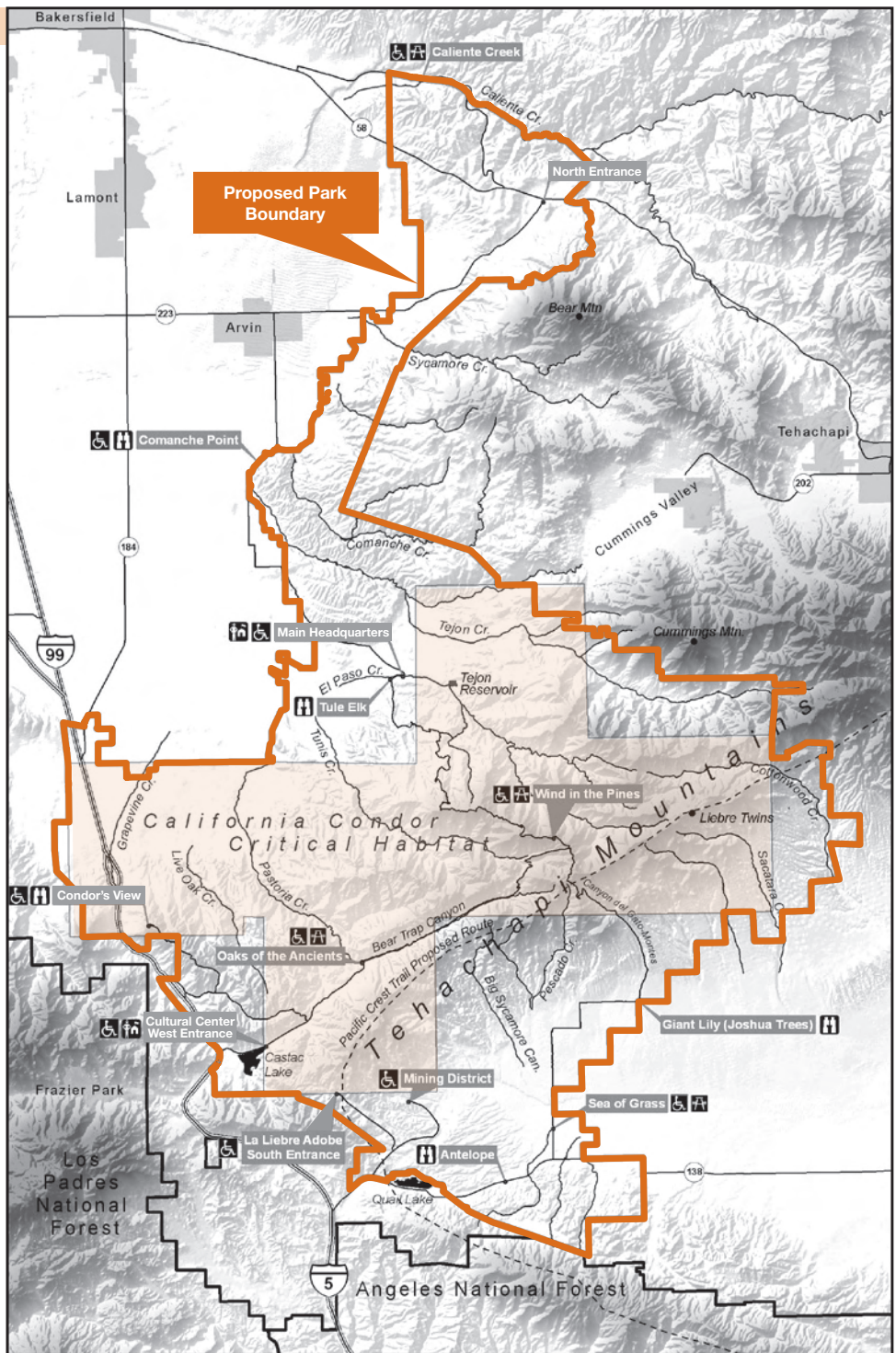
These major active faults provide educational and scientific opportunities to increase our knowledge of plate tectonics and the movements of Earth's crusts. They are clearly not the place to situate new, large cities.

A future of bulldozers, gridlock and smog . . . ?

The Tejon Ranch Company has proposed a series of sprawling urban developments that would irrevocably destroy the ranch's natural and cultural heritage and jeopardize the California Condor's recovery.

The proposed upscale "Tejon Mountain Village" would be located in prime condor habitat and would carve out the heart of Tejon with 37,000 acres of golf courses, vacation homes and commercial space.

The enormous 23,000-home "Centennial" project is the largest housing development ever proposed in the history of California, and is located on lands that currently support more pronghorn than people.



The Vision for Tejon: map illustrating the proposed park boundary.

The partially constructed "Tejon Industrial Complex" along Interstate 5 is a mega-box industrial complex and is also proposed for a major expansion that would bring increasing diesel-spewing truck traffic into the already seriously polluted southern San Joaquin Valley.

All of these projects would generate huge increases in traffic on Interstate 5 and adjacent highways, further taxing an already over-burdened transportation system.

PROGRAM NEWS...

Bush-axed forest rules reinstated

The Center recently celebrated two major victories in our efforts to restore forest protections axed by the Bush administration.

In September, a federal judge reinstated protections for more than 58 million acres of national forest roadless areas, making them off-limits to logging, road construction and other development. The Bush administration had thrown out these protections in July 2005, when it repealed the Roadless Area Conservation Rule established by the Clinton administration in 2001.

The controversial and widely opposed Bush decision eliminated protections for much of the nation's best remaining fish and wildlife habitat, as well as sources of clean water for more than 60 million Americans. The Center's members joined more than 250,000 Americans in petitioning for the Roadless Rule's reinstatement, and as part of a national coalition of conservation groups represented by Earthjustice, we fought the decision in court.

In August, a judge also overturned the administration's decision to allow logging inside Giant Sequoia National Monument. A 328,000-acre area set aside in 2000 by then President Clinton, the monument contains more than two-thirds of the world's Sequoia redwoods.

The Giant Sequoia National Monument Management Plan set forth by the Bush administration would have allowed annual

logging of 7.5 million board feet – roughly enough to fill 1,500 logging trucks – from trees less than 30 inches in diameter.

The Center, in conjunction with the state of California and a coalition of environmental groups, challenged the plan in court under the National Environmental Policy Act.

The law requires agencies to present a clear management plan to the public and to fully assess the environmental impact of that plan before its implementation. The judge ruled that the Forest Service in this case had done neither, but had ignored the recommendations of its own scientists and provided an incoherent strategy for managing the unique ecology of the monument.

Judge faults landmark habitat plan

In a precedent-setting opinion, a federal judge upheld a Center lawsuit and ruled that a “model” San Diego habitat conservation plan does not do enough to protect endangered species that depend on rare vernal pool wetlands.



Photo by Ilene Anderson

Navarettia: vernal pool wetland plant

The October ruling halts destruction of those wetlands in undeveloped areas within the city of San Diego, criticizes the San Diego Multiple Species Conservation Plan (MSCP) for its failure to conserve

two fairy shrimp and five plant species, and sends the plan back to the U.S. Fish and Wildlife Service for the agency to try again. According to the ruling:

- The MSCP undermines the agency's own recovery plan for the seven species, which called for much stronger conservation measures.
- The agency failed to analyze the effects of anticipated major development on the species – even while it concluded that the MSCP protected the species against extinction, and while it gave developers “no surprises” assurances that no additional conservation would be necessary for 50 years.

- The MSCP fails to provide assured funding for promised conservation activities. The plan's vague pledges of future funding stand in stark contrast to precise and absolute assurances to developers.

Approved in 1997, the San Diego MSCP was heralded by then Secretary of the Interior Bruce Babbitt as a “model for the country.” But scientists and conservationists were troubled by the plan's neglect of necessary development limits and conservation measures to protect San Diego's rarest species and habitats.

Conservationists applauded Judge Rudi Brewster's summary wording: “If this type of destruction is treated on a case-by-case basis as an unimportant loss, it does not take long before life on this planet is in jeopardy.”

The Center was represented in this case by Earthjustice and the Pacific Environmental Advocacy Center.

Another win in power line negotiations

In another victory for San Diego area wildlife and wild lands, the Center and our conservation partners cheered a recent state agency order that San Diego Gas and Electric should identify alternatives to its proposed routing of the giant “Sunrise Powerlink” transmission line through the heart of Anza-Borrego Desert State Park.

A major electrical transmission line project that would run from the Imperial Valley desert to the north coastal City of San Diego, the Powerlink also would cut through other habitat preserves, parks and communities, causing significant harm to nature and people.

The September order by the California Public Utilities Commission came after vigorous opposition by the Center and others, and on the heels of strong statements by the California Department of Parks and Recreation that the Powerlink would harm wilderness, scenic views, and other values in California's largest state park.

Calling Anza-Borrego “the jewel of California's state park system,” the Parks Department declared, “We cannot recall the California State Park and Recreation Commission having ever removed land from the State Wilderness system. To do so for this project would set a dangerous precedent that would mean that State Park lands and State wilderness are merely held in trust by the State of California until such time as they may be needed by

private developers or utility companies.”

In response to the Utilities Commission order, San Diego Gas and Electric has persisted in identifying routes for the Powerlink that would result in as much harm as its original proposal. The Center will continue to oppose the company’s “alternatives” as long as they fail to consider a “no wires” plan that emphasizes improved conservation and local renewable energy generation in San Diego.



Arizona rivers see gains for restoration

This past July, the summer monsoons weren’t the only good news for Arizona rivers. A century-old rail line along the San Pedro River’s banks will be retired, the federal Surface Transportation Board (STB) decided in July.

After years of all-but-defunct service on the rail line, Sonora-Arizona International had offered to buy out the owner, San Pedro Railroad Operating Company – a plan that promised more development along the border, increased rail traffic, and transport of hazardous materials. The STB approved that deal in May without analyzing its potential impacts – say, a sulfuric acid spill in the river – so the Center filed suit.

Sonora-Arizona International withdrew its offer before the sale closed, and the STB retired the line. Next steps: salvage the steel tracks and perform a feasibility study for a rails-to-trails project.

And at Fossil Creek, it’s time to rally around National Wild and Scenic River designation.

Photo by Paul S. Hamilton



Fossil Creek

Thanks to an agreement between environmentalists (including the Center) and Arizona Public Service Company, full flows were restored to Fossil Creek in June 2005 after a century of diversion for hydropower projects. Fossil Creek now cascades over raucous waterfalls and through deep pools for 14 miles, from Fossil Springs to the Verde River. The river’s rebirth has created more opportunities to camp, birdwatch and otherwise enjoy this beautiful – and increasingly lush – Mogollon Rim canyon.

Arizona’s congressional delegation is now doing its part; in July, both houses introduced legislation to include Fossil Creek in the nation’s Wild and Scenic Rivers system and thus protect its ecological value for wildlife and people. Representatives Renzi, Grijalva, Pastor, Hayworth and Kolbe introduced H.R. 5957, and both Senators McCain and Kyl introduced S. 3762. Please call your representatives today to support these bills!



Border wall threatens wildlife

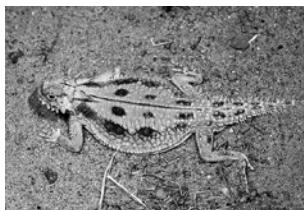
In late October, in what many considered to be a strategic attempt to market a tough national security and anti-immigration stance just days before the midterm elections, President Bush authorized 700 miles of double-walled fencing along the U.S.-Mexico border.

The U.S. Congress passed the bill calling for the border wall – including

an unbroken stretch from Calexico, Calif., to Douglas, Ariz. – in September. A separate bill provides \$1.2 billion for fence materials, vehicle barriers, lighting, and sensing technologies – a mere fraction of the more than \$6 billion anticipated cost to complete the project.

Unfortunately, the administration also has failed to consider the environmental costs of its policy. Construction of a 700-mile border fence would irreparably harm some of the Southwest’s most significant lands, including wildlife refuges, national parks, national forests, and wilderness areas.

The Center’s “Arizona Assessment” project has identified 29 imperiled species that live on or near the Arizona border, 15 of which live or move directly in the path of the proposed fence. Among the species that could suffer severe impacts to their habitat



Flat-tailed Horned Lizard

and migration corridors as a result of a border wall are the Jaguar, Mexican Gray Wolf, Sonoran Pronghorn, Cactus Ferruginous Pygmy-Owl, and Flat-tailed Horned Lizard, as well as numerous riparian plants and animals that depend on unfragmented binational rivers and streams.

The Center maintains that this “Berlin Wall” will do nothing to address the underlying causes of illegal immigration nor stop the flow of migrants crossing the border in increasingly remote and deadly regions, but will have devastating effects on the fragile desert lands

and diverse wildlife of the Southwest. We oppose wall construction, and we call upon the administration to bring more wildlife-friendly and socially and environmentally responsible options into the debate.



Center opposes new predator control rules in wilderness

The U.S. Forest Service unveiled a new proposal in June that would radically alter the rules concerning what it can do in federally protected Wilderness Areas. The new rules would permit aerial gunning, trapping and motorized traffic inside designated wilderness for the purpose of “predator control,” which targets everything from badgers and bobcats to wolves and bears for the benefit of public lands ranching.

The new rules also would permit use of the notorious “M-44” guns, explosive traps that expel a lethal cloud of sodium-cyanide crystals when triggered. Worst of all, the new rule would shift agency policy from one of targeted control to a programmatic system that does not even require the targeted animal to have been implicated in any livestock predation.

The Center immediately launched a public education effort and orchestrated widespread public response to challenge these terrible new rule changes. We wrote and submitted a letter opposing the rules, joined by more 100 conservation groups nationwide, and our work with those organizations generated some 80,000 comments to the Forest Service opposing the rules.

Should the Forest

Photo by Gary Nafis

PROGRAM NEWS...

Service decide to go ahead as planned despite the significant public outcry, the Center will challenge the rules in court. Predators belong in our national forests, and lethal predator control is unwarranted anywhere on our public lands.

Administration targets wolves, grizzlies for loss of protection

In a less direct but equally insidious form of predator control (see above update), the Bush administration seeks to remove legal protections from Gray Wolves in the Northern Rockies and much of the Midwest and Pacific Northwest, and from Grizzly Bears in Yellowstone.

Removing wolves and grizzlies from the nation's threatened and endangered species list would allow resumption of widespread government poisoning on behalf of the livestock industry, a practice currently blocked by the Endangered Species Act. Ultimately, it would not only cut short recovery of these two much-persecuted predators, but also greatly reduce other scavenger animals that are susceptible to poison.

The U.S. Fish and Wildlife Service intends to delist wolves and grizzlies not only in areas where they have partially recovered since gaining federal protection, but also in vast regions where they have not been seen in many decades and where delisting would prevent their re-establishment. For example, wolves would be considered "recovered" in all of Montana, Idaho and Wyoming and portions of Utah, Oregon

and Washington – even though about 90 percent of the proposed area has no wolves. Grizzlies would be "recovered" in an area of which 84 percent has no bears.

Both species already face genetic threats. Yellowstone National Park serves as an "island" of habitat surrounded by livestock, leghold traps and federal aerial gunners. Since reintroduction began in 1995, only a single wolf from Idaho is known to have traveled to Yellowstone and reproduced there. Because the Bush administration blocked grizzly reintroduction into Idaho, bears in Yellowstone are even more isolated.

The Center helped defeat a 2003 move to delist wolves, but the Bush administration has not yet learned its ecological lesson: Carnivores should be returned to their entire ecosystems to help restore the balance. We stand ready to send that message again.



Grizzly Bear

Courts order EPA to better assess toxic pesticide effects

Two recent Center actions took the Bush administration's Environmental Protection Agency (EPA) to task for refusing to address the effects of toxic pesticides on fish and wildlife.

In response to a Center lawsuit, a federal judge in August struck down the administration's new

national pesticide rules, finding they "ran counter to its (own) scientists' consensus" and "would actually result in harm to listed species." The new rules gave the EPA virtual carte blanche authority to approve pesticides for use, eliminating its obligation to first confer with federal agencies that manage wildlife and public lands.

Bypassing this consultation process – a requirement of the Endangered Species Act – is no minor matter. In approving pesticides, the EPA relies on information the pesticide industry provides, and it has a much weaker standard for evaluating risks than its sister agencies. As a result, the court noted, the EPA routinely claims pesticides pose no danger when other agencies disagree, and the new rules would have allowed it to simply sweep aside such concerns.

The Center thanks Earthjustice and all our coalition partners in this case.

In a separate case, the Center and the EPA reached a settlement agreement to address the agency's failure to consult on pesticide impacts to the threatened California Red-legged Frog. A 2005 court order found the EPA in violation of the Endangered Species Act for ignoring this responsibility.

The October settlement prohibits use of 66 toxic pesticides in and adjacent to more than 400,000 acres of designated critical habitat and aquatic areas occupied by Red-legged Frogs while the agency studies the pesticides' effects on the species. The study is expected to last three years.

Industrial chemical and pesticide use has been indicated in studies around the globe as a key cause of declines in amphibian species.



California Red-legged Frog

Center blocks expanded drilling in wildlife havens

In September, in two separate cases, the Center successfully blocked expanded oil drilling in the National Petroleum Reserve-Alaska and California's Los Padres National Forest.

A federal judge halted the sale of oil leases on roughly 1.7 million acres on Alaska's North Slope, including 600,000 acres near Teshekpuk Lake – one of the Arctic's most important wetland areas and vital feeding and breeding ground for caribou and migratory birds.

In the California case, the Bureau of Land Management (BLM) retracted the sale of leases on more than 10,000 acres of land in and near Los Padres National Forest after challenges by the Center, other conservation groups, and rural landowners.

The BLM had auctioned off oil extraction rights to 32 parcels of land in June, covering more than 52,000 acres. The sale included 11 parcels of land critical to recovery of the California Condor, San Joaquin Kit Fox, California Blunt-nosed Leopard Lizard and California Jewelflower, all of which are protected under the Endangered Species Act. Los Padres is the only national forest in California where commercial oil drilling is not prohibited.

The government violated environmental laws in both cases by failing to adequately assess the impact that oil drilling would have on wildlife population in the lease areas, prompting the Center's legal actions. ■

Endangered Species Act: A Legislative Update

Act's opponents in Congress face a ticking clock, and a turning tide

Industry-driven attempts to gut the Endangered Species Act (ESA) in Congress lost some of their steam November 7, when the Act's biggest political opponent went down in a resounding defeat and Democrats took control of Capitol Hill.

Rep. Richard Pombo, R-Calif., has been Congress's most extreme foe of the environment. In addition to authoring a notoriously bad bill to destroy the Endangered Species Act (HR 3824, which passed the House in September 2005), Pombo's recent claims to fame include attempts to increase offshore oil drilling and to sell off America's national parks for profit.

Pombo's defeat should send an unmistakable message to Congress: attacking our environmental laws does not sit well with America's voters. With Pombo on his way out as Chair of the House Resources Committee – where he wielded considerable clout to set House agenda on environmental issues – and with Democrats gaining control of both the House and Senate, the political climate in Washington, D.C. looks friendlier to endangered species.

Of course, the current Congress is still sitting, and there are still a number of appropriations bills to pass before January. That means opportunities for riders – legislation attached to larger, higher priority budget bills – attempting to slip changes to the Endangered Species Act under the radar. And before the elections, Sen. Mike Crapo, R-Idaho, had committed to introducing an anti-ESA bill this fall. But as Congress prepared to return from its October recess, time looked short for the Senate to pass that bill this year. That's good news, since any anti-ESA bill passing the Senate this year would still go to conference committee with Rep. Pombo's awful bill.

The tide is turning in Congress, but there is still much work to be done. We will continue to keep our ear to the ground on anti-Endangered Species Act legislation, educate Congress and the public that a strong Endangered Species Act works, and seek full funding for extending the Act's protections to the hundreds of plants and animals that need it.

"Listening sessions" get an earful from the public

In late summer, the Bush administration held a series of public hearings across the nation to solicit comment on its environmental policies. The administration had planned to use these hearings, billed as "Cooperative Conservation listening sessions" to allow industry and political opponents of the Endangered Species Act to stack the comments against endangered species protection.

Much to the administration's surprise, the public turned up in force at the hearings to register their support of the Endangered Species Act and wildlife conservation, and many who could not attend in person sent comments.

New Secretary of the Interior Dirk Kempthorne had hoped to use the hearings as a launching point for regulatory changes to endangered species protections. Kempthorne's office also has hinted at proposing legislation to rewrite the Endangered Species Act next year.

As we have seen time and again, this administration is startlingly out of touch with public sentiment about its environmental policies. However, the message delivered at these "listening sessions" – and in the midterm elections – makes it clear that Americans support a strong Endangered Species Act and will stand up against attempts to undermine wildlife protections. ■

ESA Works! Help the Center meet the challenge

Our ESA Works! campaign is proving remarkably successful at defending the Endangered Species Act against legislative attack.

Now we have a remarkable opportunity to power ESA Works! into the new year: two very generous funders **have established a \$200,000 challenge grant in support of the campaign.**

We have to earn the grant by raising \$200,000 from other supporters. That presents a great opportunity for you to make a gift to the Center go twice as far. The grant is set up as a dollar-for-dollar match. A gift of \$25 from you will be worth \$50 to the Center. A gift of \$100 will be worth \$200. And so on.

But time is of the essence: we are asking our members to help us earn the ESA Works! challenge grant by December 31, 2006.

Come January, we face a less hostile Congress. But political enemies of wildlife protection will continue to target the Act, and we'll be ready. We will continue to track the status of species protected by the Act; publish reports on the Act's thousands of success stories; use our research to educate members of Congress, the media, and the public; and mobilize our supporters to add clout to this crucial conservation message.

Help us meet the challenge by December 31. To make your gift do twice as much work for endangered species, please contact our membership team at 520.623.5252 or go to www.esaworks.org today!

On Other Shores of Our Ocean Planet

Center biologist presents Bering Sea biodiversity research at international forum on Russia's Kamchatka Peninsula

My work took me all the way to Kamchatka, Russia early last summer for a meeting of the International Bering Sea Forum, where I presented the results of a comprehensive assessment of Bering Sea vertebrate species.

The Kamchatka Peninsula extends south from Siberia towards Japan and forms the western boundary of the Bering Sea. Comparable to California in land mass, it houses a population of only 300,000 people – a majority of whom live in the peninsula's one city, Petropavlovsk-Kamchatsky ("P-K" for short). The low population density, arctic climate, mountainous terrain comprised of roughly 160 volcanoes, plentiful salmon runs, and one of the world's largest populations of Brown Bears, make Kamchatka one of the last best wilderness areas on the planet.

The Forum, an independent organization of conservationists, scientists, indigenous leaders, fishermen and government officials from both the United States and Russia, held its third annual meeting at a hot springs resort outside P-K. The setting tempered the meeting's extensive scientific presentation and debate with soaks in the springs and traditional vodka toasts between a truly diverse group of folks, including Pribilof natives, longshoremen, Russian scientists, Chukotkan subsistence hunters, and members of our partner group, Pacific Environment. What we all had in common, regardless of culture, background or training, was a shared concern over the fate of the Bering Sea in the face of overfishing, global warming, potential oil and gas drilling, and other threats.

At the meeting, I presented two years' worth of work conducted by the Center and Pacific Environment, assessing the status of the Bering Sea's vertebrate species (for our full

translation and publication of the report in Russia – a project to be completed early next year.

Following the meeting, I had the good fortune to explore a small part of the Kamchatka Peninsula's great wilderness. On a boat trip in P-K's Avacha Bay – the original launching point of Commander Vitus Bering's and naturalist Georg Wilhelm Steller's exploration of the Bering Sea in 1741 – I spotted Ancient Murrelets, Black-legged Kittiwakes, Tufted Puffins, a Steller's Sea Eagle and other wildlife of the Sea. In one of the most challenging day hikes of my life, I also climbed Koryaksky Volcano, which at 3,456 meters towers over P-K. The breathtaking views of Kamchatka's other



Morning view of Avacha Volcano en route to Koryaksky summit.

report, see www.biologicaldiversity.org/swcbd/PROGRAMS/marine/bering/). The assessment highlights the incredible abundance and diversity of Bering Sea wildlife – which includes more than 500 species of fish, marine mammals, and seabirds – and calls attention to the fact that a number of these species are threatened by overexploitation, melting of sea ice from global warming, global pollution, and habitat destruction, particularly from ground trawl fisheries.

Species like the North Pacific Right Whale, Northern Fur Seal, Polar Bear, Spectacled Eider, Spoon-billed Sandpiper, Rougheye Rockfish and others need protection from these threats if they are to avoid the path to extinction taken by the Steller's Sea Cow and other unique Bering Sea species that will never be seen again.

Our Bering Sea Biodiversity Assessment was well received, with the Forum voting to fund



Noah Greenwald in Avacha Bay. Nesting Black-legged Kittiwakes cling to the rock behind him.

volcanoes and wide open landscapes made the 12-hour climb from our start at 1,000 meters to the summit well worth the effort. ■

Conservation Biologist Noah Greenwald works in the Center's Portland, Oregon office.

Okinawa trip boosts international coalition's campaign to protect island's beloved Dugongs from base expansion

This past May, I had the honor of a visit to Japan hosted by Dugong Network Okinawa and the Japan Environmental Lawyers Federation, one of the Center's partners in the campaign to save the Okinawa Dugong.

For three years, our campaign has united activists from both sides of the Pacific to protect the Dugong from massive expansion of a U.S. military airbase planned for the ocean off Henoko, on Okinawa's northeast coast.

In 2003, our international coalition filed suit in U.S. Federal Court, challenging base construction on top of a fragile coral reef in Dugong habitat.

In 2005, a U.S. federal judge delivered a landmark ruling in the case, finding that the actions of U.S.

agencies abroad are subject to the provisions of the National Historic Protection Act, and that the U.S. Department of Defense is not exempt from that law's provisions. The judge's ruling acknowledged the Dugong's important place in Okinawan culture and blocked the U.S. government's motion to dismiss the case.

Another environmental lawsuit has been filed in the Japanese court system against the base project. I spoke at a press conference and rally in Naha, Okinawa, at a hearing in the Japanese case. While in Naha I also enjoyed

meeting students at an alternative education "free school" – one of four presentations I gave to school and university groups during my stay.

At Henoko Bay, I spent time with local activists who have held vigil for more than two years to oppose base construction. These villagers and supporters – many of them over 90 years old – bravely halted ocean bed

Sekine from Kansai Gakuin University, I also met with a leading woodpecker expert and hiked deep into the ancient trees of the Yanbaru forest.

I spoke at a peace rally in Okinawa City, attended by more than 5,000 peace and labor activists and several members of Japan's parliament and the Okinawa Prefecture diet.

Finally, I attended a full moon festival with hundreds of local activists and community members, listening to music and sharing poetry and spoken word related to peace, environmental issues and greater autonomy for Okinawa.

There is still much work to be done on behalf of the Dugong. Responding to our advocacy, the U.S. and Japanese governments agreed in 2005 to abandon base construction on the coral reef. But they still pursue plans to build the base along nearby coastline – a course of action that would threaten a vast expanse of ocean and sea grass beds that the Dugong depends upon for food. The Center and our international partners will keep up the fight to ensure

the survival of this extraordinary place and its sacred wildlife. ■

Peter Galvin is the Center's Conservation Director and directs our International Program. When he's not defending endangered animals and plants on other shores, he works out of Shelter Cove, California.



Henoko elder and activist Muneyoshi Kayo, 85, with Peter Galvin at a peace rally in Ginowan, Okinawa. Peter spoke to more than 5,000 people at the rally about the campaign to save the Okinawa Dugong.

boring surveys for several months with a flotilla of kayaks and fishing boats.

Farther north, I joined members of the Nature Conservation Society of Japan for field surveys investigating proposed U.S. military helicopter landing areas that would encroach into Okinawa's Yanbaru forest, home of the imperiled Okinawa Woodpecker. I was honored to speak at a town meeting, where villagers and farmers gathered to express concern about increased military helicopter activities near their communities. Traveling with students and my host law professor and attorney Takamichi

... Or a natural park forever?

Because of its unique natural, cultural and historic resources, the Center in coordination with other conservation organizations aims to convince state and federal officials that Tejon should be the government's highest priority for wildland protection. Because Tejon Ranch is largely roadless and unfragmented by urbanization – a rarity in southern California – its intact natural open space is an important public resource.

In order to maintain these values in the face of California's rapid development, the Center is a leader in the campaign to preserve Tejon as a huge new natural park, protecting resources precious to both wildlife and people. Based on evaluations by conservation biologists, we are asking state and federal officials to secure

Photo by Andrew Harvey



Joshua Trees grow among oaks and pines where eco-regions collide. California's quintessential natural landscape, Tejon Ranch lies at a crossroads where valleys, mountains and deserts meet.

and preserve at least 245,000 acres of Tejon as a new state or national park – forever. ■

Ileene Anderson has worked with the Center since November 2005. She leads the Center's efforts to further the vision of a Tejon Natural Park. For more information visit www.sw-center.org/swcbd/programs/sprawl/tejon/ and www.savetejonranch.org



Photo by Ileene Anderson

Cream Cups blossom

Preserving a Place for Condors – Not Condos

Tejon Ranch was one of the last best places for California Condors until the population dropped so close to extinction in the mid-1980s that the few remaining wild birds were captured for a government recovery program. As a huge new natural park, Tejon would provide important habitat for recovery of the species.

Releases of captive-reared condors began in the mid-1990s. There are currently more than 140 reintroduced condors in the wild, including 67 flying free in California. Yet the condor is still perilously close to extinction.

Reintroduced condors face a variety of threats, including habitat loss, oil and gas

drilling activities, shooting, collisions with power lines, and lead poisoning (see cover story). In February 2003, one of the last wild-born condors was shot and killed during a hunting event sponsored by the Tejon Ranch Company.

Today, condors use the remote wild terrain of Tejon as essential foraging and roosting areas, and much of the ranch is already designated by the U.S. Fish and Wildlife Service as critical habitat for the species.



Photo by Gary Kramer, USFWS

Welcome Home Jaguars

Trip celebrates rare cat's migration back to its future

In late October, as part of our Arizona Endangered Species Assessment project, scientists and Center members and staff retreated to jaguar habitat in the mountains south of Tucson. The group discussed current knowledge about the imperiled cat as well as management needs for its future recovery.

Jaguars were listed as a foreign endangered species under a toothless law that preceded the Endangered Species Act, but due to what the U.S. Fish and Wildlife Service (FWS) deemed an "oversight," they were left off the U.S. endangered list after the modern Act became law in 1973. A biologist's 1992 petition to protect

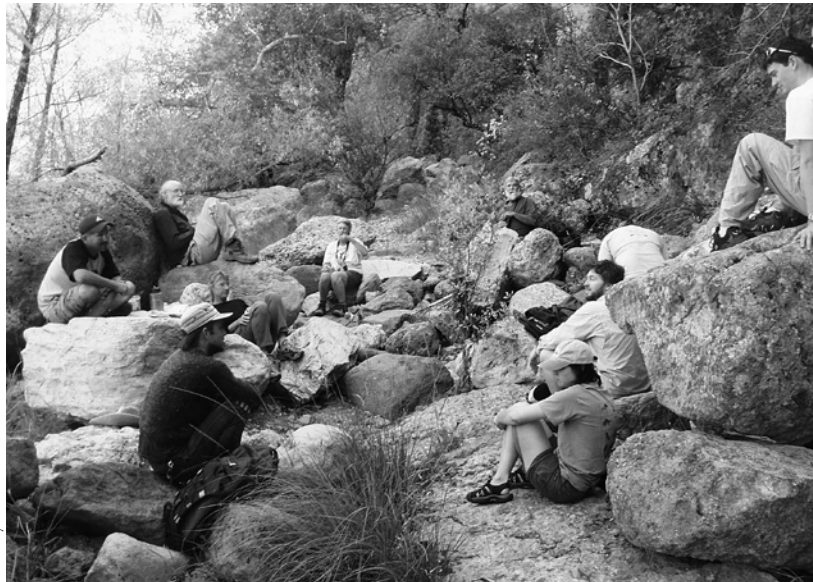
jaguars under the Act went unanswered by FWS for five years, until legal action by the Center resulted in an endangered listing for the species in 1997.

Despite the Act's mandate to protect the species, as well as clear evidence

of jaguars migrating back to the United States, FWS has refused to develop a recovery plan or designate critical habitat for the jaguars. It even permitted the government's predator control agency to kill or injure one jaguar in the course of pursuing other animals.

Meanwhile, the jaguar faces mounting threats, including a proposed strip mine, urban sprawl, and a planned water withdrawal project on the upper Gila River.

Worse, jaguars may be blocked from returning to their northern range by the border wall recently approved by Congress (see story, Program News). Our trip participants encountered Border Patrol agents who were unaware, before we informed them, that jaguars might be spotted in the region – an exchange that testifies to the lack of ecological



Field trip participants in southern Arizona's Sycamore Canyon discuss jaguar recovery. Those joining the trip included biologist Tony Povilitis, Ph.D. (second from left, top of photo), who petitioned the government in 1992 to protect the jaguar under the Endangered Species Act.

We met in the ghost town of Ruby, Ariz., for a slide show, discussion, and camp-out. The following morning, participants hiked into a roadless, ungrazed canyon incised with a perennial stream that crosses the border with Mexico – exactly the type of habitat jaguars are now using to recolonize their former range in the United States.

Jaguars are the largest wild cat native to North America. They formerly ranged from the Carolinas to California in mountains, forests, deserts and grasslands, but today all recorded jaguars in the United States herald from New Mexico and Arizona. Federal poisoning, trapping and hound-hunting, along with private killing, exterminated jaguars in the states by 1963 – the year the last known female jaguar this side of the border was killed.

Endangered earth

Endangered Earth is the quarterly newsletter of the Center for Biological Diversity, a 501(c)3 nonprofit organization dedicated to protecting endangered species and wild places through science, advocacy, education and environmental law. Contributions are tax-deductible.

Executive Director
Michael Finkelstein

Editor
Julie Miller,
Publications Director

Contributors
Greta Anderson, Ileene Anderson,
Keri Dixon, Cynthia Elkins, Peter Galvin,
Noah Greenwald, Renee Guillory,
Michelle Harrington, David Hogan, Jeff Miller,
Julie Miller, Brian Nowicki, Michael Robinson,
Kristen Rothman, Erik Ryberg, Melissa Waage

Design
aire design company

To become a member or give a gift membership, contact Keri Dixon at kdixon@biologicaldiversity.org or 520.623.5252 ext. 312, or send a check or credit card number and expiration date to CBD, Membership, P.O. Box 710, Tucson, AZ, 85702-0710.

Or visit the "join us" page on our secure server: www.biologicaldiversity.org

On occasion, we trade our mailing list with organizations that share our mission. If you would prefer that your name not be exchanged, please contact us.

CENTER FOR BIOLOGICAL DIVERSITY

BECAUSE LIFE IS GOOD.

education received by agents on the border and underscores the need for the Department of Homeland Security to consider its impacts in the lands it patrols.

In July 2006, the Bush administration denied the jaguar designated critical habitat. The Center remains committed to securing protected habitat for this rare resident of the Southwest, and to educating people about the jaguar's plight and its role in the ecosystem it once roamed widely. For information about bringing the Center's jaguar slide show to you, contact Michael Robinson at michaelr@biologicaldiversity.org. ■



CENTER FOR BIOLOGICAL DIVERSITY

BECAUSE LIFE IS GOOD.

P.O. Box 710, Tucson AZ 85702-0710

Nonprofit Org
US POSTAGE
PAID
TUCSON AZ
Permit No 1308

Get the Lead Out *continued from front page*

by asserting that the source of lead poisoning in condors is unknown. Yet lead shot and bullet fragments have been found inside the digestive tracts of condors on numerous occasions, and research has proved conclusively that hunting ammunition is the cause of lead poisoning in condors.

In August 2005, condor recovery experts and toxicologists published a research paper in *Environmental Science and Technology* definitively titled "Ammunition is the Principal Source of Lead Accumulated by California Condors Re-Introduced to the Wild." Researchers measured blood lead levels of wild condors and found them 10-fold higher than in captive-raised condors. The study demonstrated an exact match between the lead isotope signature of commonly used ammunition sold in the condor's range and the isotope of lead found in poisoned condors.

Additionally, a recent Peregrine Fund study of gut piles left by hunters

found that 90 percent of them contained lead fragments.

"The condor food supply is almost completely contaminated," said Noel Snyder, a retired biologist with the U.S. Fish and Wildlife Service.

The same study also x-rayed carcasses of hunter-killed deer. Radiographs showed bullets exploded into dozens of tiny pieces, and that half the carcasses x-rayed carried at least 100 bullet fragments. These results underscore the lead threat to scavenging animals like the condor, and they also raise a human health concern for those eating wild game shot with lead ammunition.

Such overwhelming evidence demands immediate state regulations forcing hunters to use non-lead ammunition in the condor's range. The success of the \$40 million California Condor recovery program hangs in the balance.

Find more information about condors, the lead poisoning threat, and how you can help "Get the Lead Out" at www.savethecondors.org. ■

Cover article by Jeff Miller. Jeff heads up numerous Center campaigns to protect San Francisco Bay Area species and habitat. In addition to his work to get toxic lead out of California Condor habitat, Jeff works on Center campaigns to keep toxic pesticides out of wildlife habitat and communities.