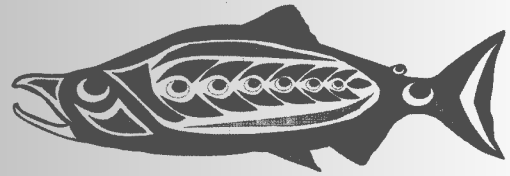


ACTION ALERT

CALL, FAX, OR WRITE TODAY!



Salmon to be sacrificed by Pacific Lumber HCP and regulatory failure

The National Marine Fisheries Service (NMFS) is failing in its obligation to protect our remaining stocks of Pacific salmon. (NMFS is the federal agency that is responsible for ensuring that Pacific Coast salmon and steelhead do not become extinct.) Since May 1997, **NMFS has refused to issue guidelines for identifying activities that lead to the destruction of salmon and their habitat.** This establishes an unacceptably weak or non-existent standard for Habitat Conservation Plans and the THP approval process.

According to Bob Jones of the NMFS Office of Enforcement, this failure to promulgate regulations to enforce the Endangered Species Act (ESA) has left NMFS with **“no current authority to halt the destruction of habitat critical to salmon.”** This also enables the California Department of Forestry (CDF) to avoid enforcement of protective measures sufficient to recover salmon and water resources.

One example of this is NMFS's inability to affect Pacific Lumber Company's activities in Humboldt watersheds. PL has been cited for over 250 violations in the past 3 years including most recently, the highly illegal clear-cut of over 500 feet of riparian stream buffer forest along Freshwater Creek, one of the last viable habitats of Coho salmon in California. Nearby, **PL's clearcuts have suffered massive landslide failures which destroyed 5 miles of a salmon spawning stream in the Bear Creek “calamity” of 1997.** Habitat in Stitz Creek, Jordan Creek, and Monument Creek was also destroyed by landslides from recently harvested cut-blocks. The North Fork Elk River is now severely damaged by sediment. NMFS has done nothing so far to prosecute PL for this extensive damage to salmon streams, or to curtail ongoing damage occurring on open timber plans. Furthermore, **the mechanisms by which this damage occurs and the potential for additional future damage are not being evaluated as part of the Pacific Lumber Habitat Conservation Plan (HCP).** The unsavory HCP is an essential component of the infamous “Headwaters Deal.”

NMFS has also failed in its responsibility to review and implement protective measures on more than 99% of the 500 plus timber harvest plans submitted during the past year within

the Coho salmon's range in northern California. Most of these plans affect habitat critical to the spawning, rearing and overwintering of salmon, yet this habitat continues to be impaired or destroyed by timber harvest activities. **NMFS claims it “lacks sufficient experienced staff to review timber harvest plans”** and so does little or nothing to evaluate or prevent this destruction. NMFS's review of the PL HCP lacked experts in the crucial fields of stream buffers, geomorphology, large woody debris recruitment, and sediment budgets.

On June 1, 1998, **Judge Janice Stewart of the U.S. District Court in Portland ruled that NMFS violated the Federal Endangered Species Act** when it refused to protect Oregon coastal Coho salmon as ‘threatened’ under the Act. In April 1997, NMFS had denied ESA protection to Oregon's coastal Coho because a largely voluntary recovery plan was supposed to be implemented by the State of Oregon. **Will Stelle, Northwest Regional NMFS Administrator, claimed that voluntary activities would adequately protect the fish.** Essentially Judge Stewart ruled that the risk to the Coho salmon from NOT listing far outweighed any hypothetical risk to Oregon's recovery efforts that a listing might cause. **The judge said that “the issue is whether voluntary efforts give the NMFS the assurance necessary to make a no-list decision. They do not.”**

The Pacific Lumber HCP is insufficient to conserve and recover salmon because **the long-term jeopardy—or “Cumulative Impacts”—on wild salmon and its habitat is not evaluated.** Salmon are forced by this HCP to “run the gauntlet” through damaged timberlands and watersheds to get to any remnant refugia of protected lands in order to complete their life-cycle. Federally protected lands are not enough to preserve the salmon on their own. Conservation of the species depends on maintenance of a large enough population to persist through stochastic events such as drought, floods, and poor ocean conditions to avoid inbreeding and loss of genetic material.

The 30,000 salmon fishermen who have lost their livelihoods must agree that **NMFS is obligated to do more than “let the salmon flop about on the brink of extinction.”**

CALL, FAX, OR WRITE

the following persons and label your comments as “Comments regarding the Pacific Lumber HCP.”

, Ask NMFS to assure that this HCP, in combination with all likely future HCPs, is sufficient to recover a thriving salmon fishery.

• **William Hogarth**, SW Region Administrator, Fax 562-980-4018
501 West Ocean Blvd. Suite 4200
Long Beach, CA 90802

• **Roland Schmitten**, NMFS
Ph. 301-713-2239; Fax 301-713-0376
1315 East-West Highway,
Silver Springs, Maryland 20910

• **Will Stelle**, NW Region Administrator
Fax 206-526-6426
7600 Sand Pt Way, N.E.
Bin “C”-15700, Building 1
Seattle, Washington 98115

**DO IT FOR THE SALMON.
DO IT TODAY!**