

## ENVIRONMENTAL PROTECTION INFORMATION CENTER

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### **Federal Agency Reaffirms Maxxam/Pacific Lumber's Flawed Habitat Conservation Plan *Upbeat Assessment of Murrelet Prospects Contradicts Recent Comprehensive Review***

**Arcata, CA** -- In an extraordinary move, the US Fish and Wildlife Service (FWS) yesterday released a formal analysis of the risks posed to the endangered marbled murrelet from logging under the MAXXAM/Pacific Lumber (PL) Habitat Conservation Plan (HCP) in Humboldt County. The assessment concludes that PL's ongoing program of logging murrelet habitat will not jeopardize the declining seabird's chances for survival and recovery.

However, that conclusion appears to contradict the findings of a comprehensive Status Review completed last year for the marbled murrelet. Prepared by a blue-ribbon panel of top murrelet researchers, the Review warned that if current trends continue, the species faces a very high probability of extinction in California. The timing of FWS's new Biological Opinion raises the question whether the agency is reacting to pending litigation rather than the murrelet's needs.

"Under the Bush Administration, we've seen a pattern of federal wildlife agencies acting to protect the profits of politically powerful interests, like Houston's Maxxam corporation, while neglecting the animals, fish, and birds they are supposed to safeguard," said Lindsey Holm, a timber harvest monitor with EPIC. "It is particularly troubling that the FWS has sought to discredit the authoritative Status Review to get the results that Maxxam/PL wants in this case," she added.

The FWS Opinion comes on the heels of the September 13 approval by the California Department of Forestry (CDF) of PL's crudely named "Bonanza" Timber Harvest Plan. The proposed logging plan on Nanning Creek, a tributary of the Eel River, includes 192 acres of occupied murrelet habitat and appears to contain the last intact high-quality nesting area within the ancient redwood forests that PL was authorized to destroy under the HCP.

"It is outrageous that Maxxam/PL is allowed to drive this magnificent species toward extinction just to service its massive and unsustainable debt-load," said Sam Johnston, EPIC's industrial forestry campaigner, adding, "The FWS should reconsider its responsibilities under the law, particularly in light of recent setbacks to the murrelet's chances for survival in California."

Among the new information which FWS admits may point to greater risks for the species are hundreds of murrelets killed by oil spills, a higher rate of population decline than anticipated, and continued logging of coastal old-growth forests. Despite these threats, and numerous violations by PL of rules meant to protect murrelet habitat, FWS has arbitrarily concluded that Maxxam/PL may proceed with destroying murrelet habitat under the HCP. The Status Review suggests that HCPs on the North Coast are the primary cause of murrelet habitat loss and the species' impending extinction in the region.