

Closing Remarks

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As Carol Witham and other speakers have stated today, Butte Environmental Council (BEC) is a small group, and even large groups and agencies have to collaborate. When I was first given the task fourteen years ago to go forth and protect vernal pools, I was stunned and thought, “Holey moley! How do I do this?” The first thing that I encountered was the buzz saw of the local development machine. It seemed quite apparent that it was going to be a real struggle to try to protect local wetlands without seeking partners outside of our area. BEC collaboration got a boost with an invitation to the seating of Felicia Marcus as the Environmental Protection Agency (EPA) Region Nine Administrator in 1992. This event resulted in multiple professional relationships and projects.

Neil Levine, our attorney for over a decade, was another pivotal relationship that launched us into state and federal litigation, which led to concrete protection for vernal pools. He called our office after the Campaign to Save California Wetlands referred him to us as the group they knew in the Central Valley that was working to preserve vernal pools. He wondered if we would like to intervene to protect the federal listing of the four shrimp that were placed on the federal Endangered Species List in 1994, which was being challenged by the Building Industry Association. BEC’s Board of Directors was quite supportive, but with our tiny budget they wanted to know what the costs could be. Collaborating with the Environmental Defense Center in the litigation, we found that our costs would be less than \$1,000, so we thought our budget could handle it or we could raise funds to cover it. From that litigation, as you’ve heard from Neil, we’ve continued to pursue protection for the vernal pool crustaceans and plants.

The litigation helped take us outside Butte County, but it wasn’t the only thing that cemented relationships with people outside our region. An attempt at a habitat conservation plan for the City of Chico

gave BEC time to have meaningful dialog and look at local resources with out-of-town representatives from government agencies. That HCP effort, that eventually failed for political reasons, actually enhanced protecting vernal pools on a local level, something that we were not able to do without the connections with agencies and external conservation groups.

Now that I’ve given you a little history, I’ll get to the present. As I mentioned earlier, we are a small organization with a small budget. I have been the only full-time person in our office for three years and yet we’re able to make a difference through these lawsuits and collaboration with agencies and other non-profits. In 2002, BEC called sister groups together in Sacramento to discuss how we might communicate effectively and increase the possibility of enhancing our individual group efforts from education to litigation. We had organizations come from as far away as San Diego to participate. From that day, a core group formed and has held monthly conference calls and finally named itself the California Endangered Species and Habitat Alliance. The regular contacts resulting from our monthly meetings led to collaborative litigation, building on BEC’s successful critical habitat lawsuit in 2002.

Supportive agency contacts suggested that this group meet more regularly with the agencies in Sacramento, which we initiated in 2004. These initial meetings resulted in a new coalition of unlikely partners, the California Rangeland Conservation Coalition—that is moving rangeland protection forward. This coalition includes BEC and other environmental groups, the California Cattleman’s Association, the California Farm Bureau, U. S. Fish and Wildlife Service, and other groups not typically fond of environmental activists.

I can’t emphasize enough, the importance of our moving outside our area to start partnerships that

have helped us with environmental preservation inside our area. You might as well face the fact: local governments will not take you seriously unless you can sue them. And if you don't know it yet, let me assure you, that fact is true. They don't care who you are, if you cannot sue them. They do not care what you have to say, even if the comments are legally sound, if you can't sue them. If you cannot sue, you're toast. Unfortunately, it's very difficult to find attorneys to help you on a local level. In rural areas of California, attorneys work closely with local government and developers, resulting in a conflict of interest that limits their ability to earn a living and help with environmental litigation.

BEC, working successfully with Neil Levine, was part of a suit to protect the listing of crustaceans that live in vernal pools. This went all the way to the Supreme Court, and we won! After this, BEC and Neil took on a larger task of enforcing additional requirements in the Endangered Species Act for vernal pool species. We filed litigation in 2000 demanding that the Fish and Wildlife Service designate critical habitat for the four crustaceans. We prevailed in court and the critical habitat designation has made a tremendous difference in Butte County and throughout California and southern Oregon. Almost one million acres are designated as critical habitat for 15 species!

This historic picture brings us to what is still dysfunctional locally. We have government that hasn't been sued recently. As I speak, Butte County is in clear violation of federal permits for a highway project, and they know it. They have known this for years, but they didn't start paying attention until I went to a meeting in January 2006 and said, "Guess what, you're out of compliance with your permits." The next day, there's a big article in the paper, and hysteria that the project, a highway-widening project with cloverleaf intersections, was going to be stopped. The local transportation agency, the Supervisors and CalTrans are bringing urban sprawl here without mitigating by writing a Habitat Conservation Plan, as their permits require. We are preparing to take them to task because they are way out of compliance with the Endangered Species Act and Clean Water Act. Permitting agencies are terribly prone to political pressure and do not always enforce their own requirements, particularly since Bush took over the White House. It takes outside agitators, and I acknowledge that that is part of my role, to hold their feet to the fire. The Fish and Wildlife Service and the U. S. Army Corps of Engineers are not mak-

ing the County adhere to their requirements, so litigation discussions are occurring. You must have agitators to protect the public interest and the environment.

Our County and the City of Chico have allowed the destruction of wetlands to go unabated because they defer to the federal agencies that have jurisdictions. Local government opines that if the agencies say it's OK, it must be OK to continue to destroy vernal pools. But they also have the choice to do better planning on a local and state level and voluntarily enforce higher standards not properly maintained on the federal level. We continue to hope that they will finally have an epiphany and see that they need local leadership that will communicate with all the interested groups in this area, not just developers, to plan better communities and protect the wildlands that people treasure.

Unfortunately, there is a countervailing attitude at our county level, a tremendous phobia of the public that I've never encountered in other governmental bodies. Cay [Goude], I'd love to know if you encounter this tremendous fear of engaging the public by other counties and cities? In Butte County, we have people who are considered loose canons—County government nicknamed them "Palermo Patriots," rural people that get really wild about property rights. Although these individuals cause problems, our county has missed the boat by not using process to deal with all individuals rather than the current pattern of refusing to deal with anyone and rejecting input from concerned citizens or public interest groups. The County will not talk to anybody that can help them, due to fear of people that might create a ruckus, when they should consider all citizen input through a legitimate process.

I also have some wonderfully positive local results to report from collaborative efforts. There has just been a tremendous acquisition in Butte County: 800 acres that are just gorgeous, to die for. We couldn't have accomplished this vernal pool landscape preserve without partners. The Fish and Wildlife Service, Fish and Game through the Wildlife Conservation Board, the Packard Foundation, and our litigation helped make the 800-acre acquisition possible. This acreage is connected to another 4,000 acres that have a conservation easement, and this preserve will give Chico a natural area border on its northern edge that would have been lost to development. Those of you that are coming on the tour tomorrow are going to see this pristine habitat that is Butte County

Vlamiš: Closing Remarks

meadowfoam-rich! I was out there last week and, all these little plants that are found nowhere in the world except in a small band on the eastern margin of Butte County, are perking along just fine!

Litigation or other pressure to initiate habitat conservation planning in Butte County, is long overdue. I don't know where all of you reside, but the sign-in sheet indicates that a lot of you are from Northern California, so you have a sense of what's happening just south of us. You can all see the onslaught of urban sprawl moving north. There are significant players in the development world that are knocking on doors everywhere looking at thousands of acres to subdivide, not to plan well, but to do the same kind of planning and growth that has happened in Sutter, Yuba, Placer, and Sacramento Counties. It is devastating the landscape. This conference was intended to bring key players and scientists together to educate the public and private sectors about the significance of vernal pool ecosystems and the importance of preserving them. I'm thrilled that it brought 200 individuals together, from as far away as the state of Washington, to hear and talk about the importance of vernal pool landscapes!

What else should I share with you? Butte Environmental Council runs an Endangered Species Faire every year, and you can come to that event on the first Saturday in May each year. Six to ten thousand people attend BEC's event because it is fun, educational, and grounded in a thirst for a healthy planet. You would experience not only what our group is doing, but what numerous other groups are contrib-

uting to the area. Groups from throughout the area are encouraged to participate; if you'd like to have a booth and pass on information, I'd encourage you to contact BEC.

I can't stress enough to all of you again, that being the one full-time person in the BEC office, requires entities that will collaborate and volunteers on a local level. We need your support, whether the support is financial, by being a member—you all have a membership form in your packet—or whether it's becoming an intern—we really count on our quality interns from Chico State—or whether it is as a community volunteer. All this work makes BEC happen!

In the vernal pool realm, we continue to provide education, litigation, advocacy and conservation. Collaboration, I must emphasize again, has made so much of this possible. I am so pleased to hear from Michael Barbour, our keynote speaker, that it has been a pleasure for him to attend this vernal pool conference. "I feel renewed," he told me. I didn't expect to hear that response, but I'm hoping maybe that feeling is permeating the room, and that you feel there is this synergy, good energy in the room and that there are things that you can do despite the onslaught against green values, policies and laws. There is so much that can be done, and it's all up to us. So I encourage you, all of you, to get involved or if you already are involved, to try to find a little bit more that you can give to that effort. The plants and the critters depend on us.