



CENTER FOR BIOLOGICAL DIVERSITY

FOR IMMEDIATE RELEASE--December 9, 2004

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U.S. Fish & Wildlife Service Refuses to Protect Imperiled Swallowtail Butterflies

Conservation groups will consider additional lawsuits to compel action

PORTLAND, Ore. The US Fish and Wildlife Service released a 12-Month Finding on a Petition To List Seven Foreign Species of Swallowtail Butterflies as Threatened or Endangered, yesterday. The Finding was released because of a settlement with the Center for Biological Diversity and the Xerces Society for Invertebrate Conservation over a lawsuit filed in Federal District Court in Portland, Oregon, in May 2004.

The 12-month finding found that listing is not warranted for the Oaxacan swallowtail (*Papilio esperanza*), and the southern tailed birdwing (*Ornithoptera meridionalis*). For the remaining five species Harris' mimic swallowtail (*Eurytides lysithous harrisianus*), the Jamaican kite swallowtail (*Eurytides marcellinus*), the Fluminense swallowtail (*Parides ascanius*), Hahnel's Amazonian swallowtail (*Parides hahneli*), and the Kaiser-I-Hind swallowtail (*Teinopalpus imperialis*) they indicated listing is warranted but precluded by higher-priority listing actions.

"We are highly disappointed by this decision," said Scott Hoffman Black, Executive Director of the Xerces Society. "It's one thing to find that two of the species do not warrant protection. We are willing to give them the benefit of the doubt there. But it is another to say the five other species need protection and then do nothing."

Endangered species waiting years to receive Endangered Species Act's (ESA) protection is nothing new. A recent report by the Center for Biological Diversity found that 83 species have gone extinct while awaiting formal designation and protection as endangered under the ESA, including three butterflies.

Peter Galvin, Conservation Director for the Center for Biological Diversity, stated, "These magnificent butterflies need legal protection in order to survive. We condemn in the strongest possible terms the continued failure of the U.S. Fish and Wildlife Service to take protective actions for these rare butterflies."

This swallowtail finding comes after 10 years during which the USFWS did almost nothing to determine the fate of these butterflies. On May 10, 1994, the USFWS made a ninety-day finding and announced there was substantial information indicating these butterflies needed protection. Despite the fact that the ESA mandates that the USFWS act to determine if these species are indeed endangered within twelve months of the ninety-day finding, it has been ten years since the USFWS initiated the process.

Protection of these butterflies under the ESA will put in place regulations that will not allow the import of specimens into the United States and that may help spread awareness about the plight of these butterflies and lead to conservation activities within their home countries.

"First the USFWS drags their feet for 10 years and then say they can do nothing because these imperiled species are not a 'high enough priority'," said Mace Vaughan, Conservation Director with the Xerces Society. "Should we wait until these species decline to extinction before we take any action?"

Conservation groups will decide in the next two weeks whether or not they will take further action to protect the five species warranting protection under the ESA.