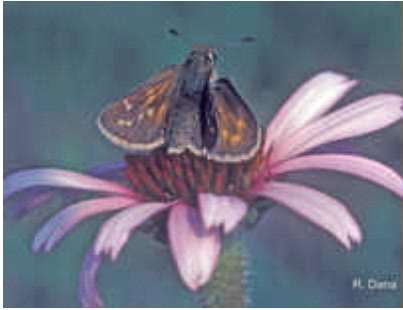


Backlog puts imperiled species on 'death row'

Budget woes and legal costs have left 279 species -- including two types of mussels, a butterfly, a snake and a tiny fern in Minnesota -- waiting to be listed for federal protection.

[Tom Meersman](#), Star Tribune

Last update: November 03, 2006 – 11:26 PM



Dakota skipper butterfly

Robert Dana

Two types of mussels, a butterfly, a snake and a tiny fern are in trouble in Minnesota, but they're not likely to receive federal protection any time soon.

The five species are part of a huge backlog of 279 imperiled plants and animals nationwide that are considered for listing under the Endangered Species Act.

The act protects more than 1,300 species from extinction, ranging from high-profile wildlife such as the bald eagle, gray wolf and Canada lynx to little-known species of bats, mussels, fish and plants. In all cases, being listed under the act means federal protection of both the species and its habitat.

But being on the candidate list offers no such assistance.

[The Center for Biological Diversity](#), a Tucson-based advocacy group, has reported that 24 candidate species have gone extinct while awaiting federal help.

"It's like being on death row," said Francesca Grifo, director of the Scientific Integrity Program for the Union of Concerned Scientists.

U.S. Fish and Wildlife Service officials, who study endangered populations and enforce protection under the law, say they're constrained from moving more candidates onto the list because of limited resources and mushrooming legal costs. "In an ideal world we wouldn't be waiting as long as we currently do to act on these proposed listings," said Laura Ragan, wildlife biologist with the Twin Cities office of the Fish and Wildlife Service. "The primary reason is budgetary."

Placing a species on the federal list involves a formal scientific review, public meetings and often legal challenges from environmental groups, developers or others who have a stake in the outcome, she said.

[Noah Greenwald](#), a conservation biologist at the Center for Biological Diversity, said the agency is hiding behind the excuse of legal costs when the real reason for delay is opposition from oil, gas and timber companies that don't want additional restrictions on where they can operate. The Bush administration has added 10 species each year to the federal list, he said, compared with 64 per year during the Clinton years and 59 annually under Bill Clinton's predecessor, the first President George Bush.

But Ragan said it's a mistake to assume that nothing is being done for candidates. Fish and Wildlife officials are working with state and private landowners to negotiate conservation agreements, she said, that can stabilize and potentially increase populations of struggling species.

The Minnesota Department of Natural Resources has its own lists of endangered and threatened species, and state laws prohibit the killing or taking of those plants and animals. Bonita Eliason, DNR endangered species coordinator, said that those restrictions are effective but somewhat limited, and that many species need broader and deeper protection that can

be achieved only by national listing.

Critter candidates

The five species in Minnesota that have been listed as candidates for federal protection are:

Sheepnose, a 5-inch freshwater mussel with a shiny, yellowish-brown shell found in the St. Croix and Mississippi rivers. It has been eliminated from two-thirds of the streams in states where it once lived. Officials said it could face extinction because of zebra mussels, sedimentation, urban and agricultural pollutants, and other threats.

Spectaclecase, a 9-inch freshwater mussel with a dark, elongated shell that can live as long as 70 years. Populations are known in only 20 locations across the country, and seven of those have only one mussel each. The St. Croix River is one of only three or four places in the nation where the populations are large and reproducing. It faces many of the same threats as the sheepnose, Both became candidates in 2004.

Eastern massasauga, a 2-foot rattlesnake with a thick body and heart-shaped head. It is gray or light brown with chocolate brown blotches on its back and sides, and a white stripe on its head. It has also been called a prairie rattlesnake or swamp rattler. The snake became a candidate in 1999. It has not been seen in southeastern Minnesota in recent years but has been found just across the Mississippi River in floodplains in Wisconsin.

Dakota skipper, a tawny-orange butterfly with a 1-inch wingspan that once thrived in native prairies and now occurs in scattered portions of western Minnesota, the Dakotas and southern Manitoba. The original range of the skipper has declined by 70 to 99 percent in different states as prairies have been converted to farms and other uses. It became a candidate in 2002.

Slender moonwort, a tiny, delicate fern, found in very small numbers in three Western states, and more recently in central Minnesota. It has been a candidate for listing since 2001.

Tom Meersman 612 673-7388 meersman@startribune.com