



CENTER FOR BIOLOGICAL DIVERSITY

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TWO YEARS AFTER THE FIRES: LAWDSUIT FILED TO PROTECT SAN DIEGO BUTTERFLIES

BUSH ADMINISTRATION IGNORES REQUEST TO PROTECT TWO SPECIES DESPITE FIRE HARM

San Diego – The Center for Biological Diversity filed a lawsuit today in federal district court against the U.S. Fish and Wildlife Service over the agency’s failure to respond to the group’s one year old request to provide Endangered Species Act protections for two San Diego-area butterflies. The lawsuit comes close to the anniversary of serious harm suffered by the two species in the 2003 wildfires.

One butterfly, the Thorne’s hairstreak is on the brink of extinction. The hairstreak lost 68% of its habitat to the 2003 Mine Fire (a.k.a. Otay Fire), leaving only 5 small populations on one mountaintop. One single, new fire could cause extinction of the species.

The Hermes copper butterfly has a wider range, from Fallbrook to northern Baja. But only 19 populations remain after the Paradise, Cedar, and Mine fires together burned another 19 populations and 39% of its habitat.

“The 2003 fires took a tragic toll on human life and property,” said David Hogan, Urban Wildlands Program Director for the Center for Biological Diversity. “The fires also devastated wildlife and habitats already suffering an assault from urban development and drought,”

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Scientists and conservationists have recognized the rarity of the two butterflies for years. One observer wrote of the Hermes copper in 1930, “Its trysting places are being rapidly taken over by realtors and the species may soon become extinct ...” David Hogan of the Center also submitted earlier petitions to list the species to the Fish and Wildlife Service in 1991, but these were denied on a technicality for lacking information the Service admitted it already processed. The Service then promised to conduct its own status reviews, but no evidence of these was produced in response to a 1994 Freedom of Information Act request.

Both species are at significant risk of extinction from future fires, and urban development poses a grave threat to Hermes copper populations. At least six fires appear to have burned near the last Thorne’s hairstreak populations in the 2005 fire season. Formal protection of Hermes copper should reduce urban development in important habitat, especially in the unincorporated County near Escondido, Jamul and Fallbrook.

“Expanded fire suppression efforts may be the only way to save these species from extinction. The good news is that fire suppression should also benefit nearby human residents. Sprawl development should also be reigned in to protect Hermes copper,” said Hogan.

The Bush administration’s Fish and Wildlife Service has done nothing to protect the butterflies despite extensive knowledge of the species’ perilous status and despite the harm from the 2003 fires and development. This is entirely consistent with other administration efforts to undermine wildlife conservation and the Endangered Species Act. As of October 2005, the Bush administration has protected only 32 plants and animals, the lowest listing rate in the history of the Endangered Species Act. At the same time, the administration has the highest rate of delisting – removing plants and animals from the endangered species list. The Bush administration is the only presidency in the history of the ESA to have not listed a single species except in response to petitions and/or lawsuits by scientists and citizen groups.

Please visit the Center’s website for copies of the lawsuit complaint, the listing petitions, newspaper stories featuring the butterflies, and more: www.biologicaldiversity.org

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