

The EQUAL PROTECTION for PLANTS CAMPAIGN

Plants are “Second Class Citizens” Under the Endangered Species Act

Few people realize that the Federal Endangered Species Act (FESA) provides almost no protection to most Federally listed endangered and threatened plants – among the most imperiled species in our nation.

In fact, although FESA protects Federally listed animals wherever they live, it allows nearly unlimited destruction of Federally listed threatened and endangered plants and their habitats outside of Federal lands – where more than 70% of Federally listed plants (more than 80% in California) - live.



Tree anemone (Carpenteria californica) is listed as Endangered in California . Photo: Brother Eric Vogel, St. Mary's College

Rare plants that do not happen to live on Federal land are forced to rely on state laws, such as the California Endangered Species Act, for protection. But these laws are inconsistent and often make little or no provision for conservation of plants.

The California Native Plant Society (CNPS) has launched the Equal Protection for Plants Campaign (see back cover) to promote changes to FESA so that plants and animals are protected equally.

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Why Care About Native Plants?

Californians live among a wealth of unique, valuable, and lovely native plant species. Up and down our coast, valleys, and mountains, lupines, California lilacs, penstemons, Indian paintbrush, and thousands of other wildflowers perfume the air and delight the eye with waves of color through the year.

Besides providing beauty and joy for humans, native plants provide essential habitat for wildlife. Butterflies, bluebirds, hummingbirds, hawks, salmon, deer, and all native animals are specifically adapted to native plants and depend on them for food, shelter, and survival.

Healthy Ecosystems Mean Healthy Economies

California's native ecosystems are also economic

powerhouses. Visitors come from all over the world to marvel at California's astounding variety of native plants and animals, supporting thousands of jobs and bringing billions of dollars into the state each year.

Native plants are sources of foods, commodities and medicines. The life-saving cancer drug taxol comes from the Pacific yew tree, a native of the dark moist stream canyons of our ancient forests. Most of our food and industrial crops are pollinated by insects and birds that live in native plant communities.

Healthy native plant communities also clean our air, provide flood control, protect soil from erosion, and clean the water our children drink.

Studies have found that native species and ecosystems worldwide provide economic goods and services that value up to \$33 trillion annually!



The western lily (Lilium occidentale) is listed as endangered in California Photo: Brother Eric Vogel, St. Mary's College

Our Native Plants are Disappearing

Unfortunately, these irreplaceable native species and ecosystems are increasingly at risk.

Threats from unrestrained and poorly planned development, excessive logging, mining, and other activities are at unprecedented levels.

A recent report by the World Conservation Union found that as many as 29% of plant species in the U.S. are at risk of extinction. CNPS reports that at least 850 of California's native plant species (more than 13%) are at risk.

Why Equal Protection?

Science tells us that plants and animals are inextricably intertwined and contribute equally to the health of the

ecosystems that sustain us all. If we are to conserve healthy ecosystems and biological diversity, we cannot pick some species to save and ignore others.

Healthy environments are complex and intricate assemblages in which all life forms – plants, animals, butterflies, ants, birds, fungi – are integral and essential. These systems need all of their parts if they are to be stable, sustainable, and thrive.

When we try to pick out anything by itself, we find it hitched to everything else in the Universe.

-John Muir

Once we allow the loss of species, the death of entire ecosystems cannot be far behind. The current FESA neglects not one species, not merely a group of species, but the entire plant kingdom. If we continue to tolerate unlimited destruction of our rarest plants, efforts to preserve biological diversity and a healthy environment will inevitably fail.

** Section 9 (a) (1) of FESA (16 U.S.C. § 1531 *et seq.*) gives animals full protection from destruction "within the United States or the territorial sea of the United States" or "upon the high seas". But Section 9 (a) (2) (B) of FESA prohibits destruction of Federally listed plant species only on "areas under Federal jurisdiction". Plants also cannot be killed in *knowing* violation of state law, while trespassing, or in violation of Section 7 of FESA which governs Federal agency actions.

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The California Native Plant Society has launched the Equal Protection For Plants Campaign to amend FESA so that it reflects biological reality and current science by providing the same protection for plants that it currently provides for animals through all of its policies, programs, and penalties.

For more information on the Equal Protection For Plants Campaign or our PETITION calling for changes in state and Federal law to provide equal protection or plants, or to find out how you can get involved

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The mission of the NPCC is to promote appreciation and conservation of native plant species and communities through collaboration, education, law, policy, land use and management.