



## Lawsuit filed to protect two imperiled Virgin Island Plant Species Development, feral animals threaten St. Croix and St. John plants with extinction

For More Information: Robin Cooley (303) 871-6039 or Peter Galvin (707) 986-7805

Atlanta-The Center for Biological Diversity filed a lawsuit in Federal District Court today in Atlanta, Georgia to compel Gale Norton, the U.S. Secretary of the Interior and the U.S. Fish and Wildlife Service to take action to list two extremely rare Virgin Island plant species under the Endangered Species Act.

Agave eggersiana and Solanum conocarpum are two rare plant species native only to the U.S. Virgin Islands. Agave lives only on the island of St. Croix where only a handful of plants remain. Solanum is limited to the island of St. John, where there are approximately 190 plants living in the wild. Both species face continued threats from residential and tourist development and feral animals.

Recognizing that these two species were facing extinction, the Department of Planning and Natural Resources, Division of Fish and Wildlife, of the U.S. Virgin Islands submitted a petition to the U.S. Fish and Wildlife Service (FWS) to protect them under the Endangered Species Act. In November 1998, FWS found that the petition presented substantial information indicating that listing may be warranted but has taken no further action. The Endangered Species Act gives FWS one year from the date a petition is submitted to determine whether to list a species under the Act. FWS is more than six years overdue taking action to protect these imperiled plant species.

Peter Galvin, Conservation Director for the Center for Biological Diversity, stated, "The Virgin Islands are a treasure chest of nature's wonders. We must take action today to protect this marvelous ecosystem if our children and grandchildren are to know the wonders of nature that we enjoy."

Robin Cooley of the Center for Biological Diversity, Environmental Law Clinical Partnership at the University of Denver College of Law stated, "Numerous species have gone extinct while awaiting protection under the Endangered Species Act. We are taking this legal action today to insure that these beautiful rare plants do not meet the same fate."

The Center is represented in the case by Robin Cooley of the Environmental Law Clinical Partnership, Center for Biological Diversity at the University of Denver College of Law and Lawrence D. Sanders of the Turner Environmental Law Clinic at Emory University School of Law. The case number is 1:04-CV-2553.

Agave eggersiana is a robust, perennial herb that can grow from 16 to 23 feet tall. Its flowers are large and funnel or tubular shaped.

### **Agave eggersiana**

Agave is native only to the island of St. Croix of the U.S. Virgin Islands. Habitat for the species on the island of St. Croix is under intense pressure from both residential and tourism development.

Solanum conocarpum is a thornless flowering shrub which may reach more than 9 feet in height.

### **Solanum conocarpum**

Solanum is native only to the island of St. John of the U.S. Virgin Islands. There are approximately 5 Solanum plants located within the Virgin Islands National Park and 185 on private land. The largest known population of around 183 plants is located on a small section of private land on Nanny Point/Estate Concordia.