

## 4. **ENDANGERED SPECIES: Feds to weigh new ESA listing on climate grounds** (02/12/2009)

**Patrick Reis, E&E reporter**

Federal wildlife officials today agreed to consider the American pika -- a rabbit-like mammal whose mountain habitat is changing thanks to global warming -- for protection under the Endangered Species Act, according to an environmental group that sued to initiate a review.

The U.S. Fish and Wildlife Service said it would complete an initial review of a petition to list the pika by May, and if the agency's initial review determines it is warranted, would complete a full review of the species by next February.

A positive finding could reopen the debate over using endangered species legislation to regulate greenhouse gas emissions, as the listing petition cites climate change as the principal threat to the pika's survival.

The agreement settles a lawsuit from the Center for Biological Diversity, which sued FWS in August for its failure to respond to a petition to list the pika that was submitted in October 2007. Diane Katzenberger, spokeswoman at FWS's regional office in Denver, said the agency's lawyers had not notified her office of a settlement.

Pika live exclusively at high elevations and can fatally overheat at 80 degrees Fahrenheit. As temperatures have risen over the past century, more than one-third of the historical populations have disappeared, and those that remain are found only at elevations 900 feet above their original habitat range, according to the center's analysis.

"As temperatures rise, pika populations at lower elevations are being driven to extinction, pushing pikas further upslope until they have nowhere left to go," said Center for Biological Diversity biologist Shaye Wolf.

The environmental group's petition calls for the pika to be listed as endangered throughout its range, which includes high elevations in the American West. An ESA listing would protect pika habitat from development and other threats, making the species more resilient to global warming, Wolf said, but its most important effect would be to spur federal agencies to address climate change.

"Rapidly reducing greenhouse gas emissions is the single most important step [for protecting pikas]," Wolf said. "The Endangered Species Act has an important role to play in that ... by requiring federal agencies to look at the impacts of greenhouse gas emissions generated by their activities on listed species and to adopt solutions to reduce those emissions."

When the polar bear -- whose sea ice habitat is disappearing because of climate change -- was listed as threatened last year, former Interior Secretary Dirk

Kempthorne said endangered species legislation would not and should not be used to set climate policy.

"With the polar bear, the science definitely pointed to climate change, but that doesn't all of a sudden give us the authority to address the underlying cause, which is carbon emissions," said Joshua Winchell, a spokesman for FWS's national office. "We have the Endangered Species Act ... and that's what we go by. We have zero legislative authority to regulate carbon emissions. There are no fundamental tools or approaches within ESA to deal with carbon emissions."

Today's settlement has no bearing on a suit the center filed in August against the California Fish and Game Commission to list five of the state's pika subspecies for protection under state law. That suit is awaiting trial.

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