

The Bulletin

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Exploring Obama's wildlife record: Some progress but a few disappointments

By Paul Rogers
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During his first year in office, President Barack Obama won praise from environmental groups for a wide range of decisions, from toughening gas mileage rules to spending billions on renewable energy projects.

But now there's grumbling on his green flank. A growing number of environmentalists are clashing with the administration over its management of America's struggling wildlife populations and what they call its reluctance to use the nation's most powerful environmental law, the Endangered Species Act, to stand up to industry.

Five conservation groups, led by the Sierra Club, are suing the federal government, stemming from a decision by the U.S. Fish and Wildlife Service refusing to draw up critical habitat maps for the Florida panther. Florida's state animal, the iconic panther, once widely roamed the South, but today numbers 100 or fewer. Protecting its habitat would limit development in parts of South Florida, an explosive political issue.

The administration sparked controversy recently when it announced it would not add the American pika to the endangered species list. Found in California's Sierra Nevada range and the Rocky Mountains, the pika is a rabbit-like mammal that has been considered



The Obama administration's recent decisions on two iconic species in different parts of country — the Florida panther, left, and the American pika — have angered environmentalists. The panther — Florida's state animal — once roamed the American South but now numbers below 100. Meanwhile, the pika, a small mountain-dwelling mammal in the West that can't tolerate heat above 78 degrees, would have been the first animal in the continental U.S. to receive federal protections primarily because of climate change, but the Obama administration refused to list it under the Endangered Species Act.

The Associated Press file photos

symbolic of the impact of global warming because it can overheat and die at temperatures above 78 degrees. However, declaring it endangered could have led to new restrictions on coal mining, oil drilling and other fossil fuel uses. The Fish and Wildlife Service said that although it expects the West to warm, and although pika numbers are declining, there is enough alpine land for the pika to move to higher elevations and not go extinct.

"We're coming off eight years of the Bush administration where they actively worked to cripple endangered species programs," said biologist Noah Greenwald, endangered species program director for the Center for Biological Diversity, a nonprofit

group in Tucson. "We would have liked to have seen a strong effort by the Obama administration. But we just haven't seen it."

Many lawsuits

In its first year, Obama's administration added only two new species to the endangered list — the Idaho slick spot pepper grass and a white flower named *Phyllostegia hispida*, found only on the Hawaiian island of Molokai — the fewest in any president's first year since Ronald Reagan in 1981.

Valerie Fellows, a spokeswoman for the Fish and Wildlife Service, said the agency plans to list 55 new species this year, including 48 found only on Kauai. Much of the past year, she

said, was spent responding to lawsuits filed over the past decade.

“Up until very recently, our entire listing budget was driven completely by court-ordered action, lawsuits and litigation,” Fellows said. But now that the agency is digging out, it can do more proactive work, she said.

Because the Endangered Species Act, signed by President Richard Nixon in 1973, can be used to limit development, logging, mining and other projects, adding new species can be controversial. When the Bush administration designated the polar bear as “threatened” in 2008, roughly 10 lawsuits were filed against the federal government, Fellows said, some by groups arguing it shouldn’t be protected and others by groups wanting more protections.

Some who have worked to limit environmental laws say they aren’t troubled by the trend, and that fewer species should be listed because endangered-species rules curb important economic activity.

“Frankly, the Obama administration is defending the record of the Fish and Wildlife Service under (George W. Bush),” said William Perry Pendley, president of the Mountain States Legal Foundation, a property rights group in Denver that once was run by James Watt, Reagan’s interior secretary. “But the bottom line is that Obama’s been up to enough mischief in other areas — global warming, a war on oil and gas development, that kind of thing — to certainly balance it out.”

Battleground species

To be sure, environmentalists have been pleased by some wildlife decisions. Chief among them: Obama’s announcement early in his term that he would overturn a Bush rule that weakened the Endangered Species Act by no longer requiring

federal agencies to consult with experts about potential effects on wildlife before allowing projects to go ahead.

Yet the number of animal showdowns is increasing:

- The gray wolf. In March of last year, Interior Secretary Ken Salazar, a former rancher, announced he would uphold a Bush administration decision to strip endangered protections from the Northern Rockies gray wolf, citing increases in its numbers. Months later, Idaho and Montana opened a sport hunting season and since then, 230 of the estimated 1,350 wolves in the two states have been killed. A dozen environmental groups have sued.
- The polar bear. The Obama administration upheld a Bush decision to list the polar bear as threatened, but also agreed to ban consideration of greenhouse gas emissions in reviews of federal projects affecting the bear. Obama officials said endangered species rules aren’t the right vehicle to address climate change.

Varying views

Environmental leaders have varying views. Some think the White House is deliberately trying to limit controversy and concentrate on a few key priorities such as health care and the economy.

“Wildlife issues have been consigned to the back burner. The message is, don’t make waves on them,” said Jeff Ruch, executive director of Public Employees for Environmental Responsibility, a nonprofit in Washington, D.C.

Others say they are pleased the administration has chosen more scientists and conservationists to

fill mid-level and top posts, and that a few early bumps in the road are to be expected. “Just like this administration inherited a terrible economic situation and two wars, it also inherited an endangered species program that had been devastated by backlogs,” said attorney Bob Irvin, senior vice president of Defenders of Wildlife. “This is a four-year marathon, not a one-year sprint.”

A few weeks before he left office, President Bush told federal officials that, in effect, they did not have to bother getting the advice of wildlife experts before taking actions that might harm plants or animals protected by the Endangered Species Act.

Early last month, Obama said that, in effect, they did. At a March 3 visit to the Interior Department marking its 160th anniversary, Obama said he had signed a memorandum directing the Interior and Commerce Departments to review a regulation that the Bush administration issued Dec. 16. The regulation lifted longstanding requirements that agencies contemplating actions that might affect endangered species consult with scientists from the Fish and Wildlife Service and the National Marine Fisheries Service and to take their guidance into account.

Until the review is complete, Obama’s memorandum says, agencies must return to the former practice of seeking and acting on scientific advice.

In brief remarks, the president said he had signed the memorandum to “help restore the scientific process to its rightful place” in the working of the Endangered Species Act. “We should be looking for ways to improve it, not weaken it,” Obama said of the act.

The New York Times contributed to this report.