

<https://www.tcpalm.com/story/news/local/indian-river-lagoon/2021/01/05/center-biological-diversity-sues-trump-administration-over-endangered-species-act-gopher-tortoise/4143372001/>

Suit seeks federal protection for gopher tortoise, Monarch butterfly, Northern spotted owl

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Treasure Coast Newspapers

An impending lawsuit aims to garner federal protections for a reptile commonly spotted on hiking trails and in the occasional backyard throughout the Treasure Coast.

The [Center for Biological Diversity](#) Tuesday announced its lawsuit claiming the Trump administration has delayed federal protections for the gopher tortoise and 10 other at-risk species.

The [notice to sue](#), aimed at U.S. Department of the Interior Secretary David Bernhardt, cites violations of the Endangered Species Act by failing to make progress in providing federal protection listing, according to the center.

The species has been awaiting federal protection since 1982, according to the U.S. Fish and Wildlife Service.

Despite the gopher tortoise's role as an important "[keystone species](#)" — over 350 different species use their burrows as shelter — the reptile [is not federally protected](#) under the act in Florida, according to Fish and Wildlife.

Classified as a "[threatened](#)" species in Florida, gopher tortoises and their burrows are protected under state law and must be relocated before clearing land, according to the Florida Fish and Wildlife Conservation Commission.

"We're in an [extinction crisis](#)," the center's Endangered Species Director Noah Greenwald told TCPalm Tuesday. "Our aim in this notice is to get a court-enforceable deadline to get these protections."

The gopher tortoise is one of the state's many species relying on long-leaf pine forest, a habitat threatened by urbanization and development, Greenwald said. The Endangered Species Act is the "best tool for protecting species" in the face of these threats, he said.

The gopher tortoise awaits federal protection as a "candidate species" for a potential listing under the act in Florida and three other states: eastern Alabama, Georgia and southern South Carolina, according to Fish and Wildlife.

The species already has federal protection under the act in western Alabama, Mississippi and Louisiana, according to Fish and Wildlife.

"(Gopher tortoises) are severely threatened by development-caused habitat loss and fragmentation," the center stated in a news release, adding [tortoise burrows](#) can be crushed during construction.

The lawsuit also calls for the protection of these species:

- Monarch butterfly
- Peñasco least chipmunk
- Longfin smelt
- Colorado Delta clam
- Magnificent ramshorn snail
- Bracted twistflower
- Northern spotted owl

- Three kinds of Texas mussels

The center doesn't expect immediate action to be taken in the next 60 days, but hopes to make a plan with the Biden administration for federal protection, Greenwald said.

The Trump administration has listed an average of six species a year — 25 species in total — and has failed to show headway on others, according to the center.

"Such a low rate of listing clearly does not constitute expeditious progress," Greenwald wrote in the notice. "Given there are hundreds, perhaps even thousands, of imperiled species in the U.S. that need protection ... there is no explanation for the very small number of species that received protection in the last two years."