

ENDANGERED

EARTH



CENTER FOR BIOLOGICAL DIVERSITY • FALL 2018



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WILD & WEIRD

Forget Billy the Kid and Pancho Villa. *Onychomys torridus* —a small, carnivorous mouse with tiny pink paws —may just be the roughest, toughest outlaw the West has ever known.

Also called the grasshopper mouse, this adorable bandito prowls the harsh, arid badlands of the Sonoran desert in the United States and Mexico, stalking crickets, rodents, scorpions and tarantulas to sate its monstrous hunger.

And get this: After biting the head off a scorpion and feasting on its flesh, this mouse has been known to throw its head back in wild delight and howl at the moon. Seriously.



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Hunts Halted, Protection Restored to Yellowstone Grizzlies

Sept. 24, 2018, is a day we’ll remember for a long time. That’s when a federal judge in Montana struck down the Trump administration’s rule stripping Endangered Species Act protection from Yellowstone’s grizzly bears. Not only did the judge restore federal protection, but the order also halted plans to hunt grizzlies this fall in Wyoming and Idaho. It’s a historic victory that comes at an important moment.

Scientists estimate that more than 50,000 grizzlies once roamed the western United States, but today only about 2,000 of these great bears live in the lower 48 states, in just five isolated populations. They survive in less than 5 percent of their historic range and face continuous threats from habitat fragmentation, the loss of their traditional food sources, poaching and other sources of mortality.

Despite that, the Trump administration in June 2017 removed federal protection from Yellowstone’s grizzlies, paving the way for state-sponsored trophy hunts. The Center and allies immediately filed a lawsuit, challenging this delisting rule.

In a nearly 50-page opinion, the court found that the U.S. Fish and Wildlife Service’s delisting was unlawful in several respects.

First, the court found serious fault with the agency’s “piecemeal approach” to removing federal protection from this isolated grizzly bear population without analyzing the impact on other grizzlies in the lower 48.

The judge found it especially concerning that the Fish and Wildlife Service is now rushing forward with a rule to remove federal protection from grizzlies in and around Glacier National Park, despite the fact that the bears persist in extremely low numbers in northern Idaho and are likely not even present in two of the six areas identified by the Service as necessary for grizzly bear recovery.

The judge also raised concerns about the long-term genetic health and viability of grizzlies in the Yellowstone ecosystem, which remain isolated from other populations. Removing federal protections now would only make it harder for them to commingle and interbreed with other grizzly bears, the judge said.

In the long term, the ruling has important implications, especially in giving Yellowstone grizzlies a far better shot at truly recovering across their range.

In the near term, the court order also immediately stopped plans in Wyoming and Idaho to allow trophy hunters to shoot more than 20 grizzlies outside of the national park, including females.

Although this huge victory is cause for celebration, we fully expect that the Trump administration will appeal the decision. When they do, we’ll be ready to keep fighting for the future of Yellowstone’s beloved grizzly bears.

Andrea Santarsiere is an Idaho-based senior attorney who works in the Center for Biological Diversity’s Endangered Species program with a focus on protecting carnivores.





Orca by Kim, CC-BY-SA

The Fight to Save West Coast Orcas

It's been a rough summer for Southern Resident killer whales. The population of these critically endangered West Coast orcas dipped to just 74 with the high-profile death of emaciated Scarlet, despite an international effort to deliver medicine and food. Before that, Tahlequah carried the corpse of her newborn calf with her for 17 days.

Widespread media coverage of the deaths has helped highlight the urgent need for federal action to prevent these iconic whales from going extinct. Against that backdrop the Center sued the Trump administration in August for failing to protect West Coast orcas' full habitat range, from Washington to San Francisco.

Only the core of the orcas' summer range, in the Salish Sea near Seattle, is currently designated as critical habitat under the Endangered Species Act. The government acknowledged the need to protect the West Coast orcas' full winter foraging habitat, but then ignored its own deadline to take action.

These orcas are starving because of severely depleted salmon runs in Washington, Oregon and California. They've also been harmed by maritime vessel traffic and noise and by various environmental pollutants, a situation that could get much worse if the Trump administration opens the Pacific Ocean to new offshore oil drilling as it's threatened to.

By designating their full range as critical habitat, the federal government would have to take the plight of Southern Residents into account before permitting activities.

That's the very least public servants can and should do to save this beloved species.

Past decisions to capture wild orcas, dam the rivers of the Pacific Northwest, and allow too much logging, fishing, industrial pollution and land development are what brought West Coast orcas to the brink of extinction. Now we need to start making good decisions if we're going to help save them. And we need to do it quickly.

Seattle area residents are fed up with federal inaction and excuses, as they let National Marine Fisheries Service representatives know during a pair of contentious public hearings on the weekend of Sept. 15.

There's much we can do to help, whether it's removing dams along the Snake River, drastically limiting salmon fishing, expanding critical habitat protection, or creating a whale-protection zone in the Salish Sea to reduce threats from speeding boats — another solution for which the Center has petitioned.

But one key lesson from this summer is that we can't allow the federal government to continue ignoring West Coast orcas as they spiral toward extinction.



As a senior attorney, Catherine Kilduff works in the Center's Oceans program to protect marine species and ecosystems.



Wolf by Chris Smith / Out of Chicago, CC-BY-SA

America's Wolves in Peril — Again

The woods of Minnesota, where I live, have become more wondrous since wolves started making their comeback. My kids and I have listened to wolves howling in the distance with our hearts pounding in excitement. And just last winter, on an unplowed backcountry road, we saw one silently trek through deep snow before pausing to give us a look. And then disappear into the trees.

But with our love of wolves comes heartbreak. Each time the U.S. Fish and Wildlife Service has removed their federal protection, we grieve, knowing that hundreds of these intelligent, social creatures will suffer and die at the hands of trophy hunters and for-profit trappers.

We saw this happen when the feds removed protections from wolves in the Great Lakes region in 2011. State wildlife managers immediately opened trophy hunts and trapping seasons and established a kill zone in two-thirds of Minnesota, inside which farmers could kill any wolf on their property. Minnesota's wolf population fell by 25 percent. But luckily, after a court restored federal protection in 2014, the wolf population rebounded.

Despite numerous losses in the courts, the Service remains dead set on appeasing special interests that want to kill wolves. This summer the agency announced plans to strip gray wolves across the lower 48 states of Endangered Species Act protection. If it succeeds, for the first time in generations, trophy hunters and trappers could kill gray wolves in nearly all the places they live. Recovery would grind to a halt.

No justification exists to undo the decades of work, millions of dollars and human passion spent to bring wolves back from the brink of extinction.

We know wolves play a vital role in regulating deer and other prey species; keeping disease in check; and driving essential evolutionary processes. We know conflicts with livestock are rare and nonlethal measures are more effective, and less costly, than killing.

We also know wolf recovery is far from complete. Wolves are absent from many places they could live again, including the Adirondacks, southern Rocky Mountains, Dakotas and much of the West Coast.

Rather than unethically and illegally stripping away wolves' protection once more, the Service should work to secure a future for wolves and allow them to play their key ecological role wherever they can.

To that end we've just launched a lawsuit to force the Service to develop a nationwide recovery plan. We continue to beat back congressional efforts to remove their protection, and we'll go to court to challenge any agency effort to do so.

We're ready for a fight, and we're going to do all we can to make sure the feds fulfill their obligation to these magnificent animals.



Collette Adkins is a senior attorney at the Center. She focuses on combating exploitation and cruel treatment of rare wildlife.

Getting Agricultural Pesticides Out of Our Wildlife Refuges



Whooping crane courtesy Hagerty Ryan / USFWS

The forests, wetlands and waterways that make up America’s 562 national wildlife refuges offer safe havens to some of the country’s most vulnerable animals and plants, including more than 280 that are protected under the Endangered Species Act.

But these special places — and the endangered wildlife they were most often created to protect — are now facing increasing, unnecessary risks from dangerous chemicals. That’s because of the U.S. Fish and Wildlife Service’s approval of hundreds of thousands of pounds of pesticides for commercial agricultural use on refuge lands.

A Center report published at the beginning of this summer, called *No Refuge*, reveals that *almost half a million* pounds of pesticides — many of which are known to be particularly harmful to endangered species and migrating birds — were dumped on national wildlife refuges in 2016 alone. They included deadly herbicides like dicamba, glyphosate and 2,4-D.

The report, based on a comprehensive review of public records, explains how these chemicals are used mostly by private farmers to grow conventional row crops like corn, soybeans and sorghum.

Among agency-approved application methods, more than 127,000 pounds of pesticides — including 1,300 pounds containing dicamba, which is notorious for drifting off its target area onto far-flung fields — were aerially sprayed across more than 100,000 acres of refuge lands in 2016.

More than 12,000 refuge acres were treated with pesticide products containing 2,4-D, which is known to hurt mammals, birds, amphibians, crustaceans, reptiles and fish. 2,4-D is also likely to jeopardize the continued existence of endangered and threatened salmonids.

About 55,000 refuge acres were treated with products that had glyphosate in them. Glyphosate, the main ingredient in Roundup, is the world’s most-used pesticide and has caused widespread decreases in the milkweed plants that monarch caterpillars depend on as their only food source. The loss of milkweed has helped trigger monarch butterflies’ 80 percent decline over the past two decades.

In total, agricultural pesticides were applied on more than 270,000 refuge acres in 2016, with some of the greatest uses in California, Oregon, Arkansas, Tennessee and Maryland. The escalating use of highly toxic products in refuges threatens the long-term health of these sensitive habitats and the animals that depend on them.

We can’t stand by and let our country’s precious wildlife refuges be poisoned — so in an effort to spur the Fish and Wildlife Service to move to end harmful agricultural pesticide use on those lands, the Center and allies launched our defense by filing a petition in September that asked the agency to address pesticide use on the Wheeler National Wildlife Refuge Complex in Alabama. Wheeler was established to protect endangered species like the Alabama cavefish and migrating birds like the whooping crane.

We’ll keep you posted on what happens next.

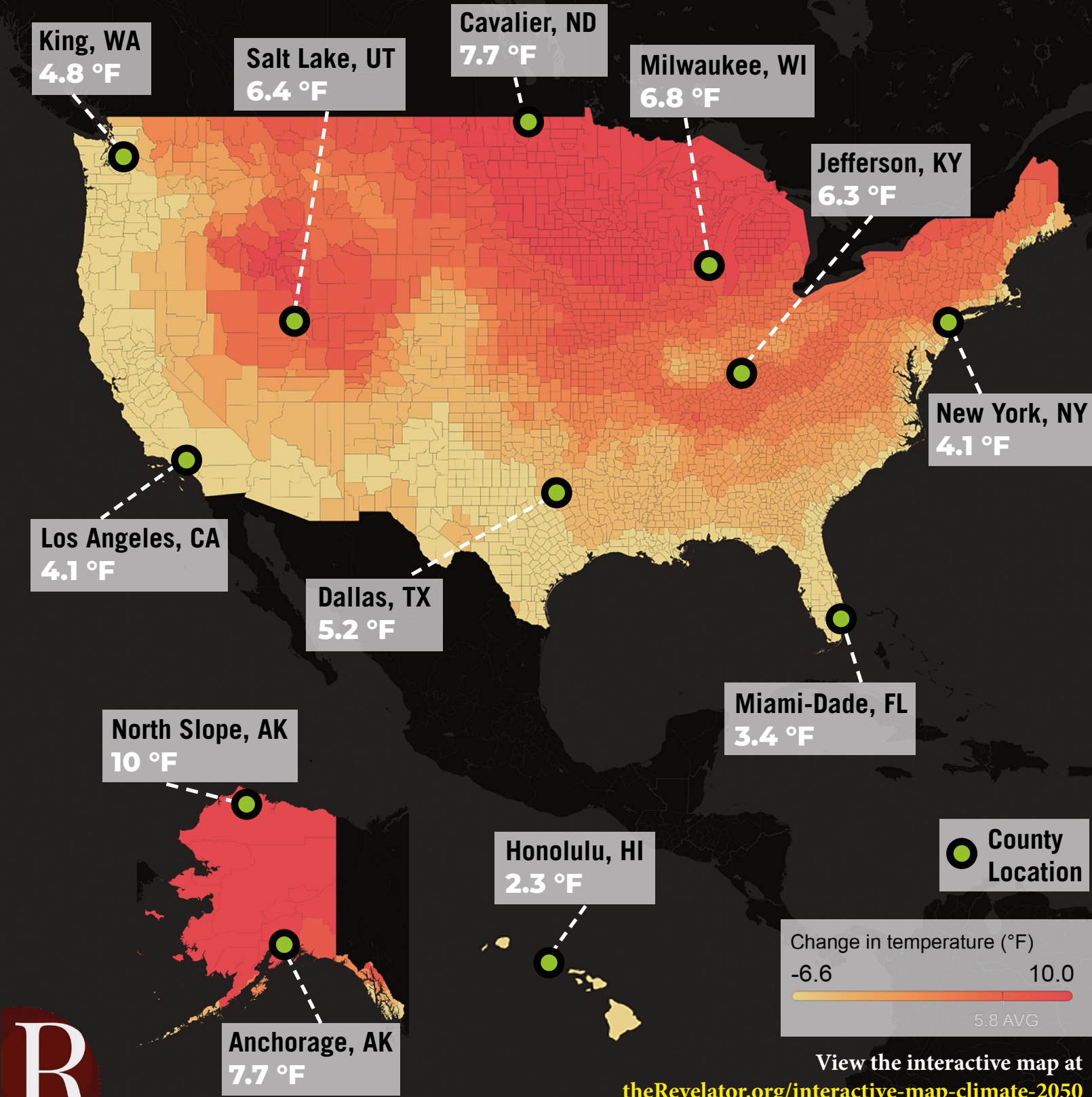
Hannah Connor is a senior attorney who works in the Center’s Environmental Health program to protect endangered species, waterways, workers and communities from toxic threats like pesticides, factory farms and destructive mining operations.



Climate in 2050

An interactive map produced by *The Revelator* shows how rising temperatures are projected to affect your county.

The past few summers have brought some of the hottest months on record. Unfortunately, things are only projected to get worse as climate change continues to push temperatures up in the United States and around the world. We mapped how much **average temperatures will increase by 2050 in the U.S. by county** if emissions continue on their current trajectory.





Bald eagle by Peter K Burian, CC-BY-SA

Trump Takes Aim at Endangered Species

Over nearly 45 years, the Endangered Species Act has built a great track record, preventing the extinction of 99 percent of species under its protection and putting hundreds on the road to recovery. Despite or perhaps because of this success, congressional Republicans — and now, even more ominously, the Trump administration — are waging a relentless war on the Act and the wildlife it protects.

In the 115th Congress alone, congressional Republicans have introduced 75 separate attacks on endangered species or the Act itself — including a bill to strip all freshwater mussels of endangered species protection; another to exempt all border activities from all endangered species protections; and yet another to exempt oil and gas drillers on private lands from ensuring their activities don't harm endangered species.

Yet more dangerously, the Trump administration recently issued three proposed rules that would severely undermine implementation of the Act and weaken protections for endangered species across the country.

Unlike legislative attacks, these proposals can't be stopped by wildlife allies in Congress.

One of Trump's proposals would strip protection for species listed as threatened. Another would introduce consideration of economic factors when deciding whether a species should be protected and make it much harder to designate critical habitat should it receive protection. A third would make it far easier to destroy critical habitat. If finalized these proposals would amount to the most significant cutbacks to endangered species protections in the history of the Act.

In my more than 20 years at the Center working to protect endangered species, I've seen attacks like these before, particularly under the Bush administration. But the threat of their becoming reality is more serious than ever. The Trump administration seems to have learned from Bush-era mistakes and become slicker in packaging its attacks as "modernization" of the Act; plus, it's succeeding in keeping its communications with industry opponents of the Act confidential. Meanwhile the Fish and Wildlife Service, beat down by decades of repression during Republican

administrations and neglect during Democratic ones, has never been weaker.

It doesn't end with the proposed regulations, either. Trump's interior secretary, Ryan Zinke, has virtually crippled implementation of the Endangered Species Act and taken a series of cruel, anti-wildlife actions. Shortly after taking over, he reversed a common-sense Obama-era decision to prohibit use of lead ammunition and tackle on national wildlife refuges — despite its clear harms to wildlife and human health.

Under Trump and Zinke, agency biologists are being muzzled and kept from doing their jobs. The administration even sent a memo to all Fish and Wildlife staff instructing them not to tell private landowners when they're affecting endangered species and thus need a permit to help reduce harm.

Zinke has virtually shut down new listings of species as threatened or endangered. Despite a backlog of more than 500 species, the administration has protected just 12 — all proposed under Obama — and proposed only another 5 for protection so far. It has also denied protection to some clearly imperiled creatures, like the Pacific walrus and Florida Keys mole skink (a rare lizard threatened by climate-related sea-level rise).

We're closely watching impending decisions on species we've worked for years to protect, like the American

wolverine and lesser prairie chicken. Fish and Wildlife has promised to make protection decisions for these and other species, but it's unclear whether the administration will let the agency actually provide protection.

These realities make the Center's role in defending endangered species and the Act more crucial than ever. We're doing our utmost to stop the administration's dark deeds through massive public outcry and opposition; poll after poll shows that the American public, including Republicans, overwhelmingly support protecting endangered species.

Should Trump's administration finalize its terrifying proposed regulatory changes or deny protection to species like the wolverine, American burying beetles or any others, we'll be ready to head to the courts to defeat them.

SEVEN SPECIES SAVED BY THE ENDANGERED SPECIES ACT

- Bald eagle
- Gray whale
- Island foxes
- American alligator
- Tennessee coneflower
- Lake Erie water snake
- Oregon chub

Noah Greenwald directs the Center's Endangered Species program to protect new species under the Endangered Species Act, to ensure that imperiled species receive effective protections and that we have the strongest Endangered Species Act possible.





Photo and art by Roger Peet

Stunning New Mural in El Paso

Artists, activists, students and community groups unveiled a 60-foot-long wildlife mural in El Paso in August, one of the latest in the Center’s national Endangered Species Mural Project.

The 14-foot-tall mural features five endangered species native to the U.S.-Mexico borderlands: the Chiricahua leopard frog, aplomado falcon, Mexican gray wolf, ocelot and Sneed’s pincushion cactus. Our mural project highlights imperiled wildlife nationwide that are of special significance to their region.

“These beautiful borderlands species have moved across this landscape unimpeded for thousands of years,” said Roger Peet, artist and coordinator of the project. “This mural celebrates the borderlands as a connected, unified and spectacular place. There’s no better place for it than El Paso.”

A Crucial Win for Pacific Fishers

Thanks to another court victory won by the Center and allies, Pacific fishers now have a better shot at Endangered Species Act protection.

Relatives of minks and otters, Pacific fishers once lived in forests from British Columbia to Southern California. But intense logging and trapping drove their numbers way down, and now only two naturally occurring populations are left in California and Oregon.

The U.S. Fish and Wildlife Service proposed federal protection for the fishers in 2014, but in 2016 arbitrarily withdrew that proposal. So we challenged the decision, and a judge just ruled the agency must reconsider by March 2019. Hopefully that means these amazing, forest-dwelling creatures will finally get the protections they so badly need.



Pacific fisher

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JOIN THE OWLS CLUB

The Center for Biological Diversity is fighting day in and day out for grizzlies and other endangered creatures. We need your help now AND in the long term. Please consider joining our Owls Club today by giving a portion of your legacy gift through an accelerated bequest or a special distribution from your IRA, donor-advised fund or trust.

By leaving a legacy gift to the Center, you’ll be supporting the fight to save endangered wildlife for generations to come. For information about how to join the Owls Club and to discuss your legacy giving options, please call (520) 345-5712 or email owlsclub@biologicaldiversity.org.



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LIGHT IN THE DARKNESS

From the Director

Kierán Suckling

These are tough times, and that means we have to savor every victory that comes along.

This fall's historic win for Yellowstone's grizzlies was one of those times. Not only did our legal win restore Endangered Species Act protection to these bears (overturning a Trump administration order from 2017) but it also stopped trophy hunts planned for this fall in Wyoming and Idaho.

I'm proud of our work to save these bears, and for the work done by tribes and by other environmental groups. It was a long, difficult battle that played to the Center's strengths: legal skill, scientific expertise, on-the-ground organizing and creative activism.

Although it's easy to get mired in the chaos and corruption of the Trump administration, it's worth remembering that there are still lifesaving victories to be had.

Around the same time as the court decision on Yellowstone grizzlies, we won a separate case forcing the U.S. Fish and Wildlife Service to reconsider its denial of protections for Pacific fishers, a rare forest-dwelling creature in Oregon and California. That same week, as a result of a Center petition, Hawaii's cauliflower coral took a step closer to Endangered Species Act protection.

Before that we helped get thousands of people into the streets in California calling for climate action. And just weeks prior, a Center petition spurred Texas to ban commercial trapping of wild turtles. Humpback whales

will also get their habitat protected in 2019, thanks to the work of our staff and allies, and we dealt a major legal blow to a massive warehouse project in California threatening burrowing owls and golden eagles.

The list goes on.

Yes, we still have epic fights in front of us to save wolves, bears, sea turtles and other species from extinction, not to mention people facing pollution in their neighborhoods and public lands under siege by Trump and his yes-men in Congress.

But let's not forget to celebrate when light pierces the darkness. Thanks for being with us.



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On the cover:
Orcas in Puget Sound
by Mike Charest, CC-BY

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