

Endangered earth

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Winter 2003/2004

Training the Next Generation Center takes over environmental law clinic; establishes first Colorado office at DU

In August 2003, the University of Denver College of Law invited the Center for Biological Diversity to take over management of the school's Environmental Law Clinic.

The partnership is an exciting move for both the University and the Center. The clinic offers the school's law students an opportunity to work for real clients on real cases—and most importantly, obtain real world results. Clinic students gain experience handling federal court litigation under the Endangered Species Act, National Environmental Policy Act, Federal Land Policy and Management Act, National Forest Management Act, Wilderness Act and other federal laws. Hands-on work includes everything from researching cases and drafting legal documents to filing complaints and interviewing clients.

In return, the clinic makes legal representation accessible to nonprofit organizations like the Center.

Much of that legal representation will directly support Center programs, with 10 to 15 students

assigned each semester to work on Center cases.

In just the clinic's first semester, law students have worked with Center staff on cases to protect the Rio Grande cutthroat trout, jaguar, coqui guajon (a Puerto Rican frog), Gentry indigo bush, Graham's penstemon, Porter feathergrass, Atlantic white marlin, white-tailed prairie dog, lesser prairie chicken, yellow-billed cuckoo, black-tailed prairie dog, and sperm whale.

The opportunity to utilize student time and talent will significantly further the Center's work, greatly increasing the number of cases we are

able to pursue at one time.

Situated inside the law school itself, the clinic gives the Center access to valuable new resources—

"Helping [students] win their first case on behalf of an endangered species, and feeling their excitement and joy in halting some injustice reminds you why you started doing this kind of work in the first place."

—Jay Tutchton
DU clinic director

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including access to the region's best law library and to legal experts in a variety of specialties. In addition, the university provides significant financial and operational support, including office space, computers, and attorney salaries.

Attorney Jay Tutchton, formerly of Earthjustice, has worked on cases for the Center for Biological Diversity since its inception and now directs the law clinic. The Center also welcomes Robin Cooley, staff attorney and lecturer at the clinic. Robin has previously litigated cases for the Center and other environmental nonprofits.

The clinic establishes our first office in Colorado and expands the Center's presence in the Southern Rockies and Great Plains—regions that traditionally have not benefited as much from the Center's brand of hard-edged activism as the east and west coasts.

Many of the Center's own attorneys got their start in law clinics—including Tutchton, who remembers

"Generation" continued on back page...



ADVOCACY SPOTLIGHT

Brian Nowicki, *Endangered Species Policy Coordinator*

Endangered Species Act Turns 30 Center launches media campaign to advocate for Act's future

The Endangered Species Act turned 30 years old a few weeks ago. To mark the anniversary, the Center for Biological Diversity launched a massive media campaign designed to celebrate the Act—and to turn up the heat on the Bush administration for its own unrelenting campaign to eviscerate it.

In anticipation of the national media spotlight on the ESA's history—and the amplified public debate on its future—the Center established an ESA 30th Anniversary Media Center. Staff biologists, attorneys, policy experts, researchers and writers joined forces to produce a series of fact sheets compiling the most essential and up-to-date information on the Act.

Those fact sheets—delivered to newsrooms across the nation and posted for educational use on our 30th Anniversary website—chronicle the mechanics of the ESA itself, success stories of plants and animals saved by the ESA, recent reports on the vital role of designated “critical habitat” in endangered species protection, and the legislative and administrative attacks currently aimed at the ESA.

When it was signed into law December 28, 1973, the Endangered Species Act became one of the United States' toughest environmental laws. Before the ESA, there were no national laws with the ability to provide any real protections for plants and animals on the brink of extinction.

In its 30 years, the ESA has been the lifeline to pull hundreds of endangered species back from that brink. The grizzly bear, bald eagle, green sea turtle, lynx, American alligator, and California condor: these are just a few of the

species whose survival has depended on the Act. Today, 1263 plants and animals in the U.S. and another 558 foreign species are listed under the ESA. In some cases, species have escaped extinction, and populations have stabilized or significantly rebounded due to legal protections afforded by the ESA.

But now the Endangered Species Act itself is endangered. Its letter and spirit are more subject to the whims of shortsighted politicians today than at any other time in its history.

For three years, the Bush Administration has worked to undermine and remove ESA protections for imperiled species.

Bush's political appointees Secretary of Interior Gale Norton and Undersecretary Craig Manson oversee the U.S. Fish and Wildlife Service (USFWS) that enforces most of the regulations under the ESA, and have put into practice the administration's anti-ESA ideology. If there were any doubt that the administration's policies were far from the sentiment and priorities of the American public, Manson clarified the administration's stance at a November press conference, where he pronounced, “If we are saying that the loss of species in and of itself is inherently bad—I don't think we know enough about how the world works to say that.”

Indeed, the Bush administration's intentions regarding endangered species protection are all too apparent in its first term record. The Bush administration has listed fewer species under the ESA than any other administration: just 24 compared to 521 under President Clinton and 234 under President Bush, Sr.

Currently, Undersecretary Manson refuses to approve any new listings—for example, an endangered listing rule for the Alaska northern sea otter has sat on his desk for over a year since USFWS completed it. In addition to stalling



Photo courtesy of USFWS



listings and failing to complete plans for the recovery of listed species, the administration also continues



Photo courtesy of NOAA

to systematically shoot down the designation of “critical habitat,” the area deemed essential to the conservation of an endangered species. In the past three years, the Bush administration has not only blocked new critical habitat designations; it has also rolled back existing protections by removing a

“ Nothing is more priceless and more worthy of preservation than the rich array of animal life with which our country has been blessed.”

President Richard Nixon, upon signing into law the Endangered Species Act, December 28, 1973

total of 42 million acres of critical habitat from designation.

At the same time, the administration is attacking the ESA by more underhanded means, using executive rule changes to undermine the authority of USFWS to oversee endangered species protection on public lands. In October, the administration introduced a policy change to legalize importation of hunting trophies from internationally endangered species, as well as hunting of



Photo courtesy of NPS



Photo by Lorena B. Moore



Photo by Robin Silver

Clockwise from left: The southern resident orca, Queen Charlotte goshawk, sea otter, and checkerspot butterfly are just a few of hundreds of species the Center is working to list as endangered under the ESA. The Center is also working to provide protection for dozens of plants and animals already listed under the ESA, but still highly imperiled by numerous threats. Pictured here are the desert tortoise, San Bernardino kangaroo rat, Pima pineapple cactus, and cactus ferruginous pygmy owl. In December, the administration finalized a rule change to allow the U.S. Forest Service and Bureau of Land Management to implement timber sales that could impact endangered species, without

having to even consult with USFWS. In perhaps its most effective and damaging assault on the ESA, the administration has deliberately under-funded implementation of the law, asking each year for only a fraction of the budget required to list new species and designate critical habitat, despite offers from Congress to increase funding for these programs. While USFWS has testified that it needs \$153 million to address the backlog of species in need of protection, the administration has requested only \$12.3 million for 2004. Secretary Norton and other political hacks have then turned around and declared that they cannot protect species because they do not have enough money to implement the ESA.

Furthermore, when citizen groups like the Center for Biological Diversity step up to enforce the law by compelling federal agencies to uphold the ESA's legally-mandated protections, the administration claims that the same lawsuits are redrawing the agencies' agenda and keeping them from implementing the ESA. This is an extremely disingenuous argument coming from an administration that has proven time and again that it will implement absolutely no species protections unless forced by court order.

The Center continues to work with USFWS, as well as through listing petitions and lawsuits, to pressure the administration to address the backlog of imperiled species that currently have no protection under the ESA. At the same time, we are working to encourage Congress to provide full funding for implementation of the ESA, to allow USFWS to climb out of the administration's deliberately imposed funding hole

and protect endangered species.

There is much to celebrate on this 30th anniversary of the ESA: most of all the rare and precious plants and animals that may not have survived if not for the Act's protections. However, there are still hundreds of imperiled species that need the protection of listing under the ESA: the Alaska northern sea otter, sheath-tailed bat, checkerspot butterfly, Queen Charlotte goshawk, Sonoyta mud turtle, and many more. In addition, hundreds of already listed species continue to need our attention and protection: the Florida panther, Pima pineapple cactus, desert tortoise, Mexican gray wolf, and cactus ferruginous pygmy owl, to name a few.

In its 30th anniversary year, the Endangered Species Act itself deserves protection. ■

See the website www.esa30years.com for more information and events surrounding the anniversary of the Endangered Species Act.

ESA faces new threats in 2004

In the year ahead, the Center will also be fighting legislative attacks, as two bills to undermine the ESA have already been introduced. The Sound Science for Endangered Species Planning bill (HR 1662) would allow the administration to selectively ignore any scientific information that contradicts its political position. The Critical Habitat Reform bill (HR1662) would create legal hurdles and loopholes to virtually eliminate critical habitat designation. The Center is working with Congressional supporters of endangered species, and educating Congresspersons about the destructive nature of these bills.

PROGRAM NEWS...

Center challenges EPA's greenhouse emission policy

In October, the Center, along with several states, cities, and environmental groups, sued the Bush Administration for failing to act against global warming. Last summer, the Environmental Protection Agency (EPA) declined responsibility for monitoring emissions implicated in global warming (such as carbon dioxide), claiming such emissions are not really "pollutants."

This false and outrageous assertion came in response to a 1999 petition filed by environmental organizations asking the EPA to comply with the Clean Air Act, which requires the agency to protect Americans against all harmful pollutants, including emissions that damage the climate. After many delays the EPA opened a public comment period on the petition, receiving 50,000 comments. The vast majority supported action against global warming.

Global warming has been implicated in an increasing number of endangered species declines worldwide and has already been linked to unstable weather patterns, floods, droughts, and outbreaks of tropical diseases such as West Nile Virus.

In related news, a federal appeals court in December temporarily blocked the Bush Administration from implementing a policy that would allow thousands of coal plants and refineries to upgrade their facilities without installing anti-pollution equipment. The Center, along with several state

officials, cities and environmental groups, filed the suit, successfully demonstrating to the three-judge panel that this rule would detrimentally impact air quality and human health.

Center expands international work to save Okinawa species

The Center has taken legal action to protect two culturally venerated animals in one of the world's hotbeds of biodiversity: the island of Okinawa, Japan and its surrounding waters.

In September, the Center joined with Turtle Island Restoration Network and four Japanese groups to file suit against the U.S. Department of Defense over plans to construct a new heliport facility on a coral reef off Okinawa. The proposed airbase threatens to destroy the remaining habitat of the endangered Okinawa dugong, a manatee-like creature.

The suit asks the Department of Defense to comply with the National Historic Preservation Act and conduct required assessments of the proposed project's impacts on the dugong.

Okinawa's coral reefs are second only to Australia's Great Barrier Reef in richness of biological diversity. The coral reef slated for construction on the island's eastern coast is the site of sea grass beds that the Okinawa dugong depends on for food.

Scientists estimate that only 50 dugongs remain in the Okinawa population, making it one of the most isolated and imperiled populations in the world. The dugong is held sacred by Okinawans as a messenger of the sea gods that warns people of sea disasters such as tsunamis.



Female Okinawa woodpecker

The Center also filed suit in December to compel the U.S. Fish and Wildlife Service to protect one of the world's rarest bird species, the Okinawa woodpecker, under the Endangered Species Act.

The woodpecker lives only in Yanburu, a small area of forested woodlands in northern Okinawa. The few remaining pairs of woodpeckers are on the brink of extinction, primarily due to the ongoing destruction of their forest habitat.

Much of the remaining habitat for the bird is found on lands controlled by the U.S. Marine Corps. This habitat, until recently relatively well protected, is also threatened by plans to construct new helicopter landing pads.

Like the dugong, the woodpecker is regarded as a natural and cultural monument in Okinawa.

Center acts to stop fishery killings of snared animals

The Center, in coalition with Hawaiian fishermen and cultural practitioners, filed suit against the National Marine Fisheries Service (NMFS) in November for failing to protect Hawaii's false killer whales—a type of dolphin—from longline fishing fleets. The coalition is represented by Earthjustice.

NMFS is required under the Marine Mammal Protection Act to make sure Hawaii's longline fishery does not

deplete the species beyond its ability to recover. Yet the agency's own studies show that the fishery, which entangles the false killer whales in up to 30 miles of hooked fishing line, has injured or killed an average of seven whales a year. That's well above the level the population can sustain, according to the agency's research, which acknowledges that even one death a year threatens to drive the population extinct.

NMFS estimates the current Hawaii population of false killer whales at 83. Recent studies indicate the Hawaii population may be genetically distinct.

The Center's suit seeks to compel NMFS to reclassify Hawaii's longline fishery, requiring the agency and the fishing fleet to prepare specific plans to limit injury and killing of false killer whales and other marine mammals by longline vessels.

In a related case, NMFS has proposed shutting down all longline fishing off the West Coast pending completion of a study to determine whether commercial swordfishing jeopardizes endangered sea turtles. In August, a court



False killer whale

ruled in the Center's favor to force NMFS to review the impacts of California's longline swordfishery on the turtles, which have declined dramatically over the past 20 years. The Center is currently working to win an injunction that would shut down West Coast longliners immediately, until NMFS completes its review.

rapidly dwindling Puget Sound southern resident population of orcas as endangered. Using unprecedented criteria, the agency determined that the southern residents were indeed endangered and discrete from other populations, but didn't warrant protection because the population was "not significant." The agency argued that since orcas worldwide are thought to be in good health, if the Puget Sound population disappeared, it could be replaced by orcas from Alaska or offshore waters.

Judge Robert H. Lasnik ruled that the agency's assertion was not supported by the best available science.

NMFS had based their decision on a 250-year-old determination by a taxonomist who believed orcas worldwide comprised only one species. Since then, however, marine researchers have discovered at least three separate taxa in the North Pacific alone and perhaps six worldwide. Judge Lasnik gave the agency one year to issue a new ruling.

Since 1996, Puget Sound's killer whales have declined almost 20 percent. Pollution, habitat degradation and stress from boat traffic are all likely culprits.

The Center was represented by staff attorney Brent Plater and Patti Goldman, Earthjustice.

Center acts to protect Alaskan sea otters

The Center and Turtle Island Restoration Network filed suit in December against a Bush Administration official for failing to protect the Alaska northern sea otter under the Endangered Species Act.

The Center served the lawsuit on Interior

Undersecretary Craig Manson in a San Francisco federal court, during Manson's visit to the city to deliver a speech undermining support for the ESA.

In 2000, the Center filed a petition to list the Alaska northern sea otter as endangered under the act. The U.S. Fish and Wildlife Service recommended listing the otter, funding was provided for this purpose and biologists drafted a proposal. Though it has the complete proposal to protect the otter,



Sea Otters

the Bush administration has stalled the listing for more than two years. Meanwhile thousands more otters have been lost.

After the fur trade nearly pushed the sea otter over the precipice of extinction, the species was saved by an international treaty banning the trade of its fur. The southwest Alaska sea otter population made a remarkable comeback, and by 1985 it comprised more than 80 percent of the world's total sea otter population. Unfortunately in the past 18 years, the sea otters have declined from a high of approximately 90,000 to just a few thousand individuals today.

The Center's lawsuit seeks to secure a final ruling on an Endangered Species Act listing for the otter within 90 days.

Coalition takes legal action for rare dragonfly

The Center, joined by environmental organizations from Wisconsin, Michigan,

and Missouri, has initiated legal proceedings against the Bush Administration to compel it to protect habitat for the Hine's emerald dragonfly.

Dragonflies are relicts of our ancient Earth, surviving 300 million years of environmental change. But now the Hine's emerald dragonfly, native to the Great Lakes Region, is nearly extinct.

The emerald dragonfly, identified by bright green eyes and golden stripes on its thorax, is the only U.S. dragonfly protected by the Endangered Species Act. Though the federal government listed the dragonfly as endangered in 1995, it has never designated "critical habitat" for the species as required by law. The primary threat to the species is habitat destruction: the dragonfly is wetland dependent, and one of its last population strongholds is rapidly succumbing to urban sprawl.

Conservationists in the Great Lakes Region have



Hine's emerald dragonfly

known for years that as the dragonfly goes, so goes our quality of life. By protecting the wetland ecosystems in which the dragonfly thrives, we also protect our water quality and prevent our communities from becoming barren landscapes of parking lots and highways. But the Bush Administration inexplicably preempted habitat protection for the species, announcing without reason that habitat protection for the dragonfly was being "withdrawn."

Gulf Coast beach mice losing dunes habitat

In September, the Center filed a lawsuit to compel the U.S. Fish and Wildlife Service to designate critical habitat for the St. Andrew beach mouse, as required by the Endangered Species Act.

The mouse lives exclusively in dunes habitat along the Gulf of Mexico, and is a critical indicator of the health of the coastal ecosystem. Due largely to unregulated coastal development, erosion and vehicular damage to its sand dune habitat, it now survives in only a small portion of the St. Joseph Peninsula in the Florida Panhandle.

Already under imminent threat of extinction when listed as endangered in 1998, the beach mouse continues to suffer dramatic declines. Its population is estimated at as few as 300 individuals. USFWS estimates that at least several thousand are necessary to sustain the species.

This is the Center's second recent effort to protect Gulf Coast habitat for beach mice. The Center and Sierra Club filed suit in June 2003 to compel USFWS to expand habitat protections for the Alabama beach mouse, Perdido Key beach mouse, and Choctawhatchee beach mouse. The agency designated critical habitat for the three species prior to new research that indicates the mice need more than beachfront dunes to survive. The mice also depend on inland secondary and scrub dunes during hurricanes and other disturbances.

PROGRAM NEWS...

Judge: budget "crisis" no excuse to stall spotted owl habitat

Protected habitat may triple for the Mexican spotted owl, after a federal judge in October ordered Interior Secretary Gale Norton to immediately comply with an earlier order to redesignate critical habitat for the owl.

The Bush administration's Department of Interior had argued to postpone the new designation indefinitely, citing a lack of funding. Judge David Bury emphatically rejected that argument—which the Bush administration has used repeatedly to dodge



Photo by Robin Silver

Mexican spotted owl youth

its responsibility to enforce the Endangered Species Act.

In 2001, the administration slashed 8.9 million acres from a Clinton administration proposal to designate 13.5 million acres for the owl, excluding all national forests and tribal lands in Arizona and New Mexico. In response to a Center lawsuit, Bury ordered Norton in January 2003 to remap owl habitat by April 2004, calling the scaled-back proposal "nonsensical."

Before the October ruling, the U.S. Fish & Wildlife Service under Norton admitted that it had not done any work toward complying with the January order and that it had not requested more funding to complete that work. The judge blasted the Department of Interior for its "dismissive attitude toward the Endangered

Species Act" and its failure to designate habitat for the owl since it was listed as threatened in 1993.

In November, USFWS released a new proposal restoring the number of protected acres for the owl from 4.6 million to 13.5 million. The proposed habitat includes about 4.6 million acres in New Mexico, 4.9 million acres in Arizona, 3.3 million acres in Utah and 569,000 acres in Colorado.

Power line threatens rare indigo bush

Plans by Tucson Electric Power to build a 66-mile power line between Sahuarita and Nogales threaten a beautiful and rare plant called the Gentry indigo bush. The Center petitioned the U.S. Fish and Wildlife Service to list the bush as an endangered species in January 2002, but the agency failed to respond to the petition. The Center filed suit against the agency in September 2003 to force it to protect the species.

The purple-flowered indigo bush lives in sandy soils along small creeks, and is currently found in only three locations: Sycamore Canyon, the Baboquivari Mountains southwest of Tucson, and Mexico. Of these, only the Sycamore Canyon population has received study or protection.

Sycamore Canyon is an incredibly beautiful area supporting a rich diversity of species found in few other places, including the Gentry indigo bush and the Sonoran chub, an endangered fish.

Because of the canyon's uniqueness, it was designated as the Gooding Research Natural Area by the U.S. Forest Service. Despite this designation, impacts to the indigo bush in Sycamore



Illustration courtesy of Pima County

Gentry indigo bush

Canyon continue. Livestock grazing and an extensive road network have degraded the watershed, leading to erosion and large floods that threaten the survival of the plant and other species. The planned powerline would exacerbate these problems.

Center blocks massive southern California industrial complex

The Center won a major victory against southern California sprawl in October, when a Superior Court judge overturned the Kern County Board of Supervisors' approval of one of the most massive industrial developments in the county's history.

The proposed Tejon Industrial Complex-East would have sprawled across 1,109 acres, or 15 million square feet, in the southern San Joaquin Valley. The Center and its co-plaintiffs (Sierra Club, Center on Race, Poverty, & the Environment, and Kern Audubon Society) filed suit in February 2003 challenging the Supervisors' approval of the project without adequate environmental analysis and mitigation—despite the project's magnitude, the region's notoriously poor air quality, and the area's increasingly degraded wildlife habitat and water resources.

The judge determined that the County's Environmental Impact Report for the industrial

complex failed to adequately analyze and disclose the project's air quality impacts on public health and the environment. This omission is significant in the San Joaquin Air Basin, which is severely out of compliance with federal and state air quality standards. In 2002, Kern County was the second most ozone-polluted county in the country (behind only San Bernardino County) and received an F grade in the American Lung Association's annual State of the Air Report. The judge also faulted the County for failing to analyze air pollutants generated by the industrial complex.

In addition to striking down the County's decision on the basis of its inadequate air quality analysis, the judge deemed the Environmental Impact Report deficient because it neglected to analyze the project's impacts on two imperiled species, the coast horned lizard and Swainson's hawk.

This suit represented the first phase of what will be a long-term effort to protect Tejon Ranch from the sprawl development that characterizes much of southern California.

Staff attorneys Kassie Siegel and Julie Teel represented the Center in this case.

Center court victory forces agency to reconsider refusal of orca protection

In response to Center legal action, a federal judge ruled in December that the Bush administration used faulty science in its decision to refuse Endangered Species Act protection to the southern resident killer whale.

In July 2002, the National Marine Fisheries Service (NMFS) denied a Center petition to list the

Portland office opens



Conservation biologist Noah Greenwald staffs the new Portland office.

In September 2003, the Center for Biological Diversity opened a new office in Portland, OR staffed by conservation biologist Noah Greenwald. Noah will continue his work to list numerous species across the western U.S. under the Endangered Species Act (ESA), but is also in the process of developing projects focused on protecting Northwest ecosystems. To support this work, the Center has applied for funding to review the status of Oregon species and determine based on degree of imperilment

and management threats, which should be petitioned under the ESA.

Noah is uniquely qualified to staff a Portland office for the Center. He obtained a B.S. from the Evergreen State College and an M.S. from the University of Washington with both degrees focusing on Northwest ecology. Noah also spent three years working as a field biologist in Oregon and Washington, including working as both a northern spotted owl and marbled murrelet surveyor.

The Center is fortunate to obtain office space in a suite with a host of other environmental groups, many of whom we are working with on ongoing projects, including American Lands, Cascadia Resource Advocacy Group, Oregon Natural Desert Association, and Siskiyou Project. The Center wishes to thank the Peter H. Michaelson Foundation for establishing the suite and for generously donating a portion of our rent. ■

Phone-a-Thon THANKS!

It's time again to thank all our members who contributed to our seventh annual phone-a-thon campaign in October and November. Our 2003 campaign raised nearly \$60,000 for our programs to protect endangered species. We'd also like to express our deepest gratitude to ALLTEL for their donation of phones and free long distance, and to Martha McGraff at Wild Oats in Tucson for exceeding all our wishes to keep our dedicated callers well-fed. The following Tucson businesses and organizations also made generous donations of food and gift certificates to help us appreciate the hard work of our phone-a-thon team:

Antigone Books
B-Line Restaurant
Desert Institute of the Healing Arts
Green Fire Bookshop
Magpie's Pizza
Native Seeds/SEARCH
Pastiche Modern Eatery
Providence Institute
Reader's Oasis
Time Market

CENTER IN THE NEWS

“ Three decades after President Nixon signed the Endangered Species Act into law, nearly every major decision about what animals or plants to protect—from the Columbia Basin's pygmy rabbit to the Washington gray squirrel—is now made, at least in part, by Arizona's Center for Biological Diversity.

Founded more than a decade ago by a philosopher, a biologist and an emergency-room doctor, the Center for Biological Diversity has grown so efficient and successful at filing lawsuits that it is responsible for more than 95 percent of the species nationwide that have been protected by the act since the year 2000. ”

— Seattle Times,
December 28, 2003

Endangered earth

Endangered Earth is the quarterly newsletter of the Center for Biological Diversity, a 501(c)3 nonprofit organization dedicated to protecting endangered species and wild places through science, policy, education and environmental law. Contributions are tax-deductible.

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Or visit the “join us” page on our secure server: www.biologicaldiversity.org

On occasion, we trade our mailing list with organizations that share our mission. If you would prefer that your name not be exchanged, please contact us.

Center for Biological Diversity
Because Life is Good



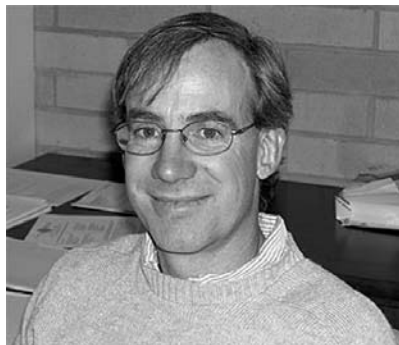
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his own semester externship with the Sierra Club Defense Fund (now Earthjustice) as the best learning experience he encountered in law school.

Tutchton later found an opportunity to return the favor, mentoring students for law clinics at Colorado University and University of Denver. One of those students, Brian Segee, moved to Tucson after graduation and became one of the Center's first full-time staff attorneys. Julie Teel, a staff attorney in the Center's Idyllwild office, gained much of her early litigation experience as an Earthjustice attorney working in the DU clinic.

Now, Tutchton says, "Running an environmental law clinic allows the Center's experienced attorneys to train the next generation of public interest attorneys."

The experienced attorneys benefit from the partnership as well, Tutchton



Attorney Jay Tutchton has worked on cases for the Center since its inception and now directs the clinic.

says, because working with younger, energetic and idealistic law students "is a great backstop against burnout" for more seasoned activists.

"Helping them win their first case on behalf of an endangered species, and feeling their excitement and joy in halting some injustice reminds you



The Center also welcomes Robin Cooley, staff attorney and lecturer at the clinic.

why you started doing this kind of work in the first place," he said.

The Denver law clinic is the Center's first, but it may someday become a model for other Center clinics. ■