



April 15, 2014

Arnold Roessler
U.S. Fish and Wildlife Service
2800 Cottage Way, Suite W-2605
Sacramento, CA 95825

RE: Validity of Mohave Shoulderband Species and Urgent Need for Protection

Dear Mr. Roessler:

Please accept these comments on behalf of the Center for Biological Diversity in response to the letter addressed to you on March 31, 2014 from Alston and Bird LLP on behalf of Golden Queen Mining Company.

The Center for Biological Diversity is a non-profit organization that works to save endangered species and the habitat they need to survive. The Center has 675,000 members and supporters including members in southern California where the Golden Queen open-pit cyanide heap-leach gold mine has begun construction, threatening the survival of a small desert snail, the Mohave shoulderband.

Because we are very concerned that the operations of the Golden Queen mine will drive the Mohave shoulderband to extinction, we submitted a petition to your office on January 31 seeking emergency Endangered Species Act protection for the tiny desert-dwelling snail.

We are writing to emphasize that the Mohave shoulderband is a valid species and that none of the environmental reviews conducted by the mine considered the impacts of the devastating open-pit mining activities on this species.

The company criticizes our petition for referring to a paper that was published in 1931 describing the species. They criticize this reference because it is 83-years old. The reality is that most species were first described long ago. California's redwood trees, for example, were described as a species in 1823. The jaguar was first described in 1758, the bald eagle in 1766, and the gray whale in 1861. That the Mohave shoulderband was first described in 1931 in no way negates its existence.

The taxonomic status of the Mohave shoulderband as a valid species is not in question. The taxonomic authority on the matter is the book *Common and Scientific Names of Aquatic Invertebrates from the United States and Canada: Mollusks*, 2nd Edition by Turgeon et al. (1998)¹. This book is by molluscan taxonomic specialists and is a comprehensive checklist of the mollusks found in North America and Canada and their vernacular names. The checklist was

compiled in cooperation with the Council of Systematic Malacologists and the American Malacological Union and is the acknowledged standard of nomenclature for North American terrestrial mollusks.

In addition to the fact that the snail is an accepted species, genetic research that has been completed and that is in preparation for publication shows very high levels of genetic divergence between the Mohave shoulderband and its nearest neighbors. Because terrestrial snails are in danger of drying out if they leave their microhabitats, they cannot disperse very far, and so the Mohave shoulderband has long been isolated from its nearest snail neighbors by the harsh conditions of the Mojave Desert.

The company also claims that because they have completed all of the necessary environmental reviews, the mine will not harm the snail. The reality is that none of the environmental reviews have evaluated the effects of mining activities on the snail or its habitat. There are no mitigation measures in place at all for the specific protection of the Mohave shoulderband.

We have already publicly stated that our goal in this situation is not to stop this mine, but to save a species from extinction. Golden Queen mining company could avoid driving this irreplaceable mollusk to extinction if they were willing to make modifications to protect the on-site snail habitat.

More than 3,600 of our members have already sent letters to your office because they are concerned that slow response from the Service and lack of protective action from the mining company will cause this snail to become extinct. We urge you to put immediate measures in place to save the Mohave shoulderband from extinction.

Thank you for taking our comments into consideration.

Sincerely,



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ⁱ Turgeon, D.D., J.F. Quinn, Jr., A.E. Bogan, E.V. Coan, F.G. Hochberg, W.G. Lyons, P.M. Mikkelsen, R.J. Neves, C.F.E. Roper, G. Rosenberg, B. Roth, A. Scheltema, F.G. Thompson, M. Vecchione, and J.D. Williams. 1998. Common and scientific names of aquatic invertebrates from the United States and Canada: Mollusks. 2nd Edition. American Fisheries Society Special Publication 26, Bethesda, Maryland: 526 pp.