

WILD AT HEART

THE WORD FROM WILDEARTH GUARDIANS

No. 7, Summer 2010

The Option of Restraint



Can the Endangered Species Act be fully enforced and spare imperiled plants and animals from extinction?



MISSION STATEMENT

WILDEARTH GUARDIANS protects and restores the wildlife, wild places, and wild rivers of the American West.

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RESTORING THE VISION

John Horning

One of the most painful lessons of the Gulf oil spill disaster is that our nation's environmental safety net, when it's got a few tattered strands, isn't worth a damn. Almost every federal environmental law or agency – whether intended to protect our air, water, land or endangered wildlife – that could have prevented the disaster, failed to do so, having been nearly eviscerated by corporate greed and government negligence.

At the head of the list of negligent federal agencies is the Department of Interior, whose corrupt Minerals Management Service ripped a hole in the safety net by consistently helping the oil and gas industry evade compliance with federal laws like the National Environmental Policy Act and Endangered Species Act.

Had it been properly invoked and enforced, the Endangered Species Act would have required the federal government to heed the countless warnings about the dangers of off-shore oil and gas drilling in the Gulf.

At best, drilling might have been prohibited or severely restricted to protect the Gulf's fragile ecosystem and its many endangered species from the Kemp Ridley's sea turtle to the Bay Skipper butterfly. At a minimum, federal regulators could have required stronger fail safes be put in place in the event of a system breakdown.

The same political and corporate pressures that led to the Gulf disaster plague the Endangered Species Act's enforcement across our nation. Today nearly 300 species that warrant protection, according to agency scientists, sit languishing unprotected. Thousands of other species merit protection but are largely ignored. Still other species like the Kemp's Ridley sea turtle, despite their listed status, are not as fully protected as they might be if the Act were fully enforced.

The Interior Department could fix these problems, but Interior Secretary Ken Salazar has failed to heed the warnings that an imperiled plant or animal provides in the same way that the Interior Department failed to recognize the dangers of oil and gas drilling in the Gulf.

The torn and tattered framework of the ESA must be revitalized if our nation is to learn from this disaster and create a better environmental future. Not just in the Gulf of Mexico, but from coast to coast and around the planet.

GUARDIAN GIVER

Diversity of Life Society

TIM SPRINGER



I am a member of the Diversity of Life Society because I know projects like eliminating livestock grazing on public lands will take many more years of relentless reform, both of policy and public opinion. By participating in the planned giving program, I can be sure that the organization has the resources to pursue important long-term projects.

—SUSAN CROCKER
MEMBER SINCE 1996

Members of the Diversity of Life Society make a special commitment to leave a conservation legacy. They sustain WILDEARTH GUARDIANS' work for the long-term by leaving a bequest or creating a charitable trust. Ensure that WILDEARTH GUARDIANS can continue working to protect and restore wildlife and wild places in the American West for future generations.

For information on the Diversity of Life Society contact Carol Norton at 505.988.9126 x1150 or cnorton@wildearthguardians.org.

CARE ABOUT CARNIVORES

Tips and Tricks for Coexisting

Rosie Brandenberger

The beautiful Western landscapes we cherish wouldn't be the same without carnivores such as black bears, mountain lions, and coyotes. As we share the great outdoors with these majestic species, being armed with knowledge helps enhance our appreciation for carnivores and helps protect these beloved species for future generations.

DAVE JONES



BLACK BEARS

Highly-intelligent, curious, and opportunistic, black bears are currently Colorado and New Mexico's largest native carnivore. Despite their canid teeth, bears rely mostly on vegetation for sustenance. Bears run fast, swim well, and climb trees. They often travel and forage along streamsides. Be bear aware by:

- Not leaving garbage accessible over night.
- Cleaning your BBQ grill; free it of smells; and store it indoors after use.
- When hiking make some noise. Talk or sing to avoid surprising a bear.

- If you encounter a bear, do not run. Running triggers instincts to chase. Keep your distance. Face the bear and slowly back away. Avoid direct eye contact.

MOUNTAIN LIONS

SHUTTERSTOCK



Mountain lions, also called cougars or pumas, are second to jaguars as the largest cat in the Americas. Unlike bears, mountain lions are considered obligate carnivores because their nutrients are derived solely from meat. Typically active at dawn and dusk, mountain lions stalk and ambush their prey, especially deer and elk. If you encounter a mountain lion, give the animal a chance to move away. In most human-lion meetings, the lion will retreat. If approached by the lion, focus on his feet, yell, show your teeth, move backwards slowly, throw rocks or sticks (do not bend down or crouch), and raise your arms overhead to appear large. Do not turn your back, and never run away.

COYOTES

PHOTOS.COM



Coyotes, known for their vocalizations, are also called "song dogs." Generally, coyotes hunt alone because their primary prey consists of rodents, rabbits, and hares. Omnivorous, they also eat a wide variety of flora and fruits. Coyotes mate for life. To coexist with coyotes:

- Keep cats indoors.
- Make sure dogs are leashed.
- Do not put out trash.
- Do not feed coyotes.

WILDEARTH GUARDIANS has worked for years to raise awareness about coexisting with carnivores. We've traveled several Western states to give presentations about mountain lions and organized volunteers to protect Denver's urban coyotes. Help us spread the word in your community.

Visit *Living with Wildlife* at wildearthguardians.org

SAVE THE DATES FOR THESE WILDEARTH EVENTS

SEPTEMBER 24

GUARDIANS Gala benefit dinner and auction in Santa Fe.

NOVEMBER 12

Treehugger Bash reception and silent auction in Albuquerque

For details, visit wildearthguardians.org or contact Carol Norton at cnorton@wildearthguardians.org.

TRANSFORMING TRAGEDY

Seizing a Clean Energy Future

Jeremy Nichols

WHY ARE YOU A GUARDIAN?



I think it's important to protect the animals so they don't become extinct. Because I like animals I want to help keep them alive. I'm glad WILDEARTH GUARDIANS is protecting the wildlife!

— ELIJAH GRICE
Age 7
Golden CO

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"If we refuse to take into account the full cost of our fossil fuel addiction — if we don't factor in the environmental costs and national security costs and true economic costs — we will have missed our best chance to seize a clean energy future."

— PRESIDENT OBAMA

I'm angry. At the time of publication, it's day 70 and the oil is still gushing into the Gulf. The images are heart-wrenching. The lifeless bodies of sea turtles, porpoises, and fish washing onshore. Oil-soaked birds struggling for survival. The tears in peoples' eyes say it all: they're ruined.

The Gulf oil spill is a tragedy beyond compare and were it not for our forced addiction to fossil fuels, it never would have happened.

Hindsight is 20-20, as President Obama is painfully, yet thankfully, realizing. But it's critical that we ensure our foresight is just as focused. To that end, it's time we seize our best chance for a clean energy future.

WILDEARTH GUARDIANS has already been a leading force in advocating a full transition to clean energy. We have launched ambitious campaigns to fight fossil fuels and create space for clean, affordable energy to take root. Most recently, we filed a groundbreaking appeal challenging the Bureau of Land Management's decision to lease more than 450 million tons of coal in the Powder River Basin of Wyoming, enough to power 173 coal-fired power plants. It's the first time anyone has challenged the Bureau of Land Management's failure to address the global warming impacts of coal leasing.

ECOFIGHT



By filing a groundbreaking appeal, WILDEARTH GUARDIANS is challenging the development of Wyoming's Powder River Basin for coal extraction.



FINCHHEILZ@FLICKR.COM

WILDEARTH GUARDIANS hopes to use the tragedy in the Gulf to advocate for a clean energy future.

However, driven by the urgency of the Gulf oil spill, our vision has become clearer than ever. As our momentum builds, we expect to put clean energy first by advancing these key goals:

- Securing a 100% renewable energy standard to be achieved by 2035.
- Locking in a 40% reduction in greenhouse gases below 1990 levels by 2020 and a 90% reduction by 2050.
- Instituting a carbon tax to generate revenue for renewable energy and incentivize greenhouse gas reductions.
- Redirecting all fossil fuel subsidies to the renewable energy sector.
- Closing all environmental loopholes that benefit the fossil fuels. These include loopholes exempting the oil and gas industry from the Clean Air Act, Safe Drinking Water Act, and other bedrock environmental laws.
- Wholesale reform of the Department of Interior, starting with the resignation of Secretary Ken Salazar and following up to ensure all Interior agencies, including the Bureau of Land Management and Fish and Wildlife Service, put the environment first.

Can we do all this? I hate clichés, but if we can put a man on the moon, we can achieve a fully renewable future. What's more, the reality of today is that we simply can't afford not to.

In the meantime, please see how you can help in the effort to clean up the Gulf. We need to shift to clean energy, but we also need to do everything we can to help restore thriving communities — of fish, wildlife, plants, and people — in the Gulf region. Visit <http://www.whitehouse.gov/deepwater-bp-oil-spill> for information on how to get involved.

Visit Climate & Energy at wildearthguardians.org

A NEW SHERIFF?

Rosie Brandenberger

The country needs an Interior Secretary that will do more than wear a cowboy hat and talk tough in front of cameras.

That was WILDEARTH GUARDIANS' message in a letter to President Obama requesting that Ken Salazar resign from the post of Interior Secretary. Our letter, signed by more than 100 scientists and conservation groups, detailed how, although he pledged to confront the climate crisis and despite rampant scandals within multiple agencies of the Interior Department, Secretary Salazar has failed to live up to his tough talk about being the "new sheriff in town."



TAMI A. HEILEMANN DOI

Interior Secretary Ken Salazar has shown reckless lack of oversight of the oil and gas industry and continues an abysmal record of not protecting imperiled species.

has shown a reckless lack of oversight of the oil and gas industry, leading up to and even after the disastrous collapse of BP's Deepwater Horizon oil rig in the Gulf of Mexico.

In addition, the Fish and Wildlife Service and Secretary Salazar continue to delay endangered species protection for the 300 species that are pending as formal candidates for Endangered Species Act listing, some of which have been waiting for federal listing for decades. Secretary Salazar has also come under fire for his approval of the Bush administration's decision to remove protections for gray wolves in much of the Northern Rockies. Since their legal protections were stripped away a year ago, more than 500 wolves have been killed in the Northern Rockies.

To make matters worse, in court filings this year, the Fish and Wildlife Service denied

Two key agencies within the Interior Department that were racked by scandal when the Obama administration took office – the Minerals Management Service and the Fish and Wildlife Service – continue to fall down on the job. Despite Mr. Salazar's pledge in January 2009 to clean up Minerals Management Service, the agency

there is an extinction crisis and minimized the problem of global climate change.

Despite the enormity and urgency of the global extinction crisis, the U.S. government has utterly failed to use the Endangered Species Act to protect species. In its first year

In the wake of the massive oil spill in the Gulf of Mexico, it was only a matter of time before someone asked Interior Secretary Ken Salazar to go.

A group of several dozen conservation groups and scientists – including more than 30 who urged President Obama not to appoint Salazar in the first place – are now calling for his resignation.

— JULIET EILPERIN
Washington Post, May 25, 2010

in office, the Obama administration and Secretary Salazar listed only two new species under the Act, lower than the average annual listing rate for any president since the law's inception. Some species have waited for protection for decades; others have gone extinct due to delayed protection.

From the oil-slicked waters of the Gulf of Mexico to the blood-stained Northern Rockies, WILDEARTH GUARDIANS continues to pressure Secretary Salazar and the Obama administration to enact the bold changes promised during campaigning. Our call for a new sheriff – one who will truly serve and protect wild places and wildlife – was reported on by the *Washington Post* in May. Our lawsuits and public awareness efforts will not stop until Salazar turns over his badge to someone willing to face reckless industries and agencies with courage and strength.

Visit *Diverse ESA Support* at wildearthguardians.org

WHY ARE YOU A GUARDIAN?



I have always liked animals since I was very little. When I found out about the problem with the wolves, I wrote a story. I was looking for somewhere to publish my story when I found WILDEARTH GUARDIANS on the web. I thought WILDEARTH GUARDIANS was so cool. I think it is important that everyone should be involved. It is everyone's world. Everyone who can, should care. If they don't they are not caring about themselves.

— HAILEY QUACKENBUSH
Seattle, WA
Age 15

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wildearthguardians.org

IN THE HALLS OF JUSTICE

Jay Tutchton

So far in 2010, WILDEARTH GUARDIANS' biggest legal push has been for federal protection of endangered plants and animals. We've also gained ground in several cases in our Climate & Energy Program. From urging the federal government to enforce its environmental laws to fighting big coal companies, WILDEARTH GUARDIANS' legal team has been hard at work to ensure Western wild places and wildlife have their day in court.

DOUG GRINBERG



WILDEARTH GUARDIANS is fighting coal-fired power plants as well as the government agencies that allow them to operate.

STOP VENTING

WILDEARTH GUARDIANS v. Forest Service, Department of Interior and Mountain Coal Company

In an effort to stop egregious waste contributing to global warming, WILDEARTH GUARDIANS continues its legal battle against the West Elk Coal Mine in central Colorado. Represented by Earthjustice, WILDEARTH GUARDIANS recently won a motion in this case and is currently negotiating a briefing schedule. The lawsuit seeks a withdrawal of the plant's permit because of its practice of venting methane, also known as natural gas, instead of burning it or, better yet, capturing it. Estimates indicate the amount of methane wasted by West Elk would be enough to heat more than 34,000 homes for 12 years.

Visit Activist Center at wildearthguardians.org

ENFORCING THE ENDANGERED SPECIES ACT

WILDEARTH GUARDIANS v. the United States Fish and Wildlife Service

During the tail end of 2009 and continuing into early 2010, WILDEARTH GUARDIANS staff attorneys and outside counsel filed 27 separate lawsuits against the United States Fish and Wildlife Service, in courthouses from Washington D.C. to Hawaii. In each case, our claim was a variation on a single theme—the Fish and Wildlife Service is failing to effectively implement the Endangered Species Act. By spring, we finally had the agency's full attention. Indeed, in late March, the Fish and Wildlife Service sought relief from what it described

as WILDEARTH GUARDIANS' "unprecedented" barrage of litigation, a legal version of the pro-wrestling "tap out."

Sadly, though, the federal government has yet to fully recognize that the Fish and Wildlife Service needs to start complying with the law.

But we are making progress. To date, the Service has capitulated in nine of our cases. More dominos are falling. Species like the Sonoran Desert Tortoise, White-sided Jackrabbit, Mexican Wolf, Sprague's Pipit, and Jemez Mountain Salamander have had their day in Court and must promptly, by court-ordered deadlines, be considered for Endangered Species Act protection. We have conclusively proven to the Fish and Wildlife Service that if they continue to violate the Endangered Species Act, WILDEARTH GUARDIANS has the legal capacity to proceed and force it to comply with the law. Indeed, FWS has yet to win a single one of these cases. More importantly, GUARDIANS' overall litigation campaign is succeeding. FWS has indicated that it wants a

programmatic settlement, a "work-out" plan to bring the agency into compliance with the law. In short, the agency wants us to call off the dogs.

BATTLE OF DAVID AND GOLIATH

WILDEARTH GUARDIANS v. Public Service Company of Colorado

Represented by Denver University's Environmental Law Clinic, WILDEARTH GUARDIANS has won a motion in its case against Xcel Energy's Cherokee coal-fired power plant in north Denver. A motion from Xcel to dismiss the case was denied and the battle continues. WILDEARTH GUARDIANS is suing Xcel Energy over 11,000 violations of clean air laws at the Cherokee coal burning power plant.



DOUG BLACKLUND

The Sprague's Pipit is just one of the many species being considered for federal protection.

CAMPAIGN UPDATES

PROTESTING THE WAR ON WOLVES

In 2009, 546 wolves were killed in the Northern Rockies – largely in Idaho and Montana. While the sport hunt resulted in 206 wolf deaths, the media paid scant attention to mortalities caused by the U.S. Department of Agriculture's Wildlife Services. The agency and livestock growers killed over 270 wolves.

Under new State of Montana protocols, in 2010, Wildlife Services can kill wolves anytime, anywhere, and at any level. WILDEARTH GUARDIANS is gearing up to take on anticipated expansive wolf killing in 2010 by this federal agency in a misguided attempt that will not really benefit agribusiness. In fact, the slaughter has already begun. WILDEARTH GUARDIANS continues to watchdog Wildlife Services and calls for its abolition.

Visit [Abolishing Federal Killing at wildearthguardians.org](http://AbolishingFederalKilling.at.wildearthguardians.org)



JESS ALFORD



CLOSER TO PARADISE

The Gila Bioregion, or the “Yellowstone of the Southwest”, is closer than ever to enduring protection because of WILDEARTH GUARDIANS’ hardwork on several fronts. A hearing is scheduled to consider designation of “Outstanding” water status for all the streams and rivers of the Gila Wilderness as a result of our Clean Waters, Wild Forests

Campaign. To ensure a viable population of Mexican wolf in the southwest, our attorneys are busy in federal court enforcing environmental laws that would strengthen protections and we’re communicating our vision of voluntary buyout of livestock operators in the wolves’ prime habitat. Finally, WILDEARTH GUARDIANS is developing proposals for restoring river ecosystems in the Gila despoiled by centuries of overgrazing. Our vision of a world-class refuge for biodiversity and a wilderness destination is imminent.

Visit [Gila Bioregion at wildearthguardians.org](http://GilaBioregion.at.wildearthguardians.org)

PROTECTING TEXAS GUV FROM COYOTES

In April, WILDEARTH GUARDIANS sent a plastic whistle to Texas Governor Rick Perry along with an offer to pay for a class in assertiveness training. The offer came on the heels of the Governor’s slaying of a coyote because it was “staring” at him. We sent Governor Perry the whistle in the hopes that he would leave his gun at home and leave the native song dogs of the southwest alone. Apparently Governor Perry didn’t know that coyotes are curious and intelligent animals, averaging about 30 pounds, and are well adapted to human communities. Or maybe he just ignored the fact that several researchers have demonstrated that coyotes typically avoid humans. He definitely didn’t demonstrate common sense measures such as hazing coyotes with shouts and other noises that discourage the animals from approaching people and pets. WILDEARTH GUARDIANS’ effort to educate Governor Perry is part of our campaign to coexist with coyotes and other carnivores throughout the West.

Visit [Living with Wildlife at wildearthguardians.org](http://LivingWithWildlife.at.wildearthguardians.org)



JESS ALFORD

WHY ARE YOU A GUARDIAN?



I like that WILDEARTH GUARDIANS has good ideas about how to protect the planet. We help them plant trees every year.

— DANIEL PLAISANCE
Age 12
Nyack, NY

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wildearthguardians.org

THE OPTION OF RESTRAINT

Heeding the Wisdom of the Endangered Species Act

Nicole Rosmarino



MARK SALVO

IT WORKS

While almost 1,400 U.S. animals and plants are listed under the Endangered Species Act, only nine species have been removed from the list due to extinction.



TIM SPRINGER

This amounts to a 99 percent effectiveness rate in preventing extinction. However, the law doesn't protect species that aren't listed under it. That's why dozens of species have vanished while in the waiting line for protection. The solution: ramp up species listings.

The Sonoran desert tortoise, like hundreds of other imperiled species, have been continually denied protection under the Endangered Species Act.

A lone Sonoran desert tortoise makes her way through a rocky bajada just south of Tucson on a spring day in June. For reasons unknown to us, she may embark on a many mile trek. But there are many human obstacles that get in her way: artificial canals, roads, houses, fences, and human-dominated landscapes. Livestock grazing stands between her and the complex balance of nutrition and water she gets from the plants she eats. In this highly stressed period, her weight declines and she lives on a knife's edge: even if moved off the road by a concerned stranger, she may not survive.

She is a tortoise who has seen it all. She is probably old enough to remember when the U.S. Fish and Wildlife Service (Service), which is the Interior Department's agency in charge of most endangered species protection decisions, provided protection for her cousins in the Mohave Desert and the Beaver Dam Slope in Utah, but firmly said no to protecting Sonoran desert tortoises in 1991. She likely lived through the effects of Pima County's skyrocketing human population, which increased by 50 percent since 1980. She has also borne witness to the mirror-image decline of over 50 percent of Sonoran desert tortoises since the 1980s.

This tortoise and her species might be living in safer times had the Service said yes to their protection in 1991 and ushered this imperiled species onboard the legal ark the Endangered Species Act provides. With the strong track record of this law, the Sonoran desert tortoise's decline may have been halted and the species could have been set on track for recovery. With that opportunity missed, a now direly

threatened Sonoran desert tortoise is getting a second chance. Due to a petition and lawsuit by WILDEARTH GUARDIANS and our partner Western Watersheds Project, the Service will have to make a new decision later this year on whether to grant federal protection to the Sonoran desert tortoise. At long last, this intrepid traveler may see a measure of restraint temper the proliferation of human obstacles in her wake.

Sadly the story of the tortoise's plight could be told over and over again by hundreds of animal and plant across the West and across the country. Growing human populations and spider webs of human structures are pushing the creatures of the natural world further and further into the margins, making their populations dwindle and reinforcing political road blocks to their protection.

No matter how close to extinction a species is and no matter which administration considers their status, delays in federal protection like those this tortoise has seen are now standard. Whether political interference under the Bush administration or general stagnation on endangered species policy enforcement under President Obama, species in need are not receiving the protections afforded to them by the Endangered Species Act, protections that are the last best hope for sparing them from extinction.

EXTINCTION IS NOT INEVITABLE

Over 99 percent of the plants and animals formally protected ("listed") under the Endangered Species Act are still with us today. Scientists estimate that hundreds of species would have gone extinct were it not for the Act's protections. Our nation's symbol of freedom, the bald eagle, is just one shining example of this success. By protecting this species from habitat destruction and toxic chemicals, the ESA enabled this regal bird to soar freely through blue skies for many more generations.

But the ESA cannot protect species that are not listed as endangered or threatened. The law must be fully enforced.

The reluctance of the federal government to enforce our foremost environmental law has led to a serious gap. Many imperiled species –from coast to coast – lack the legal safeguards the ESA provides because the government refuses to list them. Between the number of species that scientists consider endangered and those the government protects lurks a wide divergence.



The extinction of the passenger pigeon had far-reaching and unforeseen affects on its forest home.

in this purgatory awaiting federal listing. These are plants and animals that the Fish and Wildlife Service has formally deemed “warrant” protection but have denied actual listing due to higher priority listing actions. But while there’s no shortage of high priorities, there is a serious shortfall of action.

Many of the 300 species waiting in line have been stalled for more than a decade. Some have become extinct while they waited. The Warton’s cave spider, for example, was last seen in 2001 in Texas. Since then, the lock on the gate to the only cave it inhabits has rusted shut. The government’s delay in stepping up for our nation’s imperiled species comes at a steep price: as each day passes without protection, rare plants and animals edge closer to a brink from which they cannot return. This despite the fact that the bald eagle is here to remind us that extinction is not inevitable.

HUMAN HANDS HAVE A CHOICE

Most of the endangered species in this country are imperiled because of certain identifiable human actions. We bulldoze or plow their homes. We suck their life-giving waters dry. We hook, trap, poison, strangle, and shoot them. We dig them up by their roots. We capture them. We poison their air. We refuse plants their pollinators and pollinators their plants. We deny prey their predators and predators their prey. We overheat their refuges. We introduce invaders that defeat their fragile systems. The litany is long and painful, but it also underscores the power of humanity to alter this course. We have the ability to commit these actions. We also have the ability not to.

It took scientists the entire 20th century to realize the ecological consequences of no longer having the passenger pigeons darken our skies. After a frenzy of mass shooting and bludgeoning, the passenger pigeon disappeared from the wild around 1900. In 1914 the last passenger pigeon, Martha, died in the Cincinnati Zoo. Then in

We have found that 80 percent of the species ranked by scientists as “critically imperiled” are not listed under the ESA. None of these species are even on the waiting list for federal protection.

And then there are the species who have made the waiting list. Approximately 300 species languish

in this purgatory awaiting federal listing. These are plants and animals that the Fish and Wildlife Service has formally deemed “warrant” protection but have denied actual listing due to higher priority listing actions. But while there’s no shortage of high priorities, there is a serious shortfall of action.

Human hands have the ability to spare plants and animals from the passenger pigeons’ fate. Many people support sparing charismatic species like wolves and bald eagles because of their connection to humans and their personification in our lore. However, many species must be protected simply for their own sake, being of unclear value to humans. All species deserve to survive and thrive because the tapestry of diversity depends on even the smallest creatures among us.

BREAKING THE LOGJAM

With tales such as the passenger pigeons’ ringing in their ears, Congress had the humility and wisdom to pass the Endangered Species Act in 1973. The law was to serve as a precaution, an early warning system, a measure of restraint. But nearly 40 years later, that vision has been flouted as administration after administration sets up nearly insurmountable obstacles to obtaining federal protection for species on the brink of extinction.

Given the enormity of both the political obstacles and biological imperilment, WILDEARTH GUARDIANS has long understood the need for a bold and comprehensive solution to enforcing the Endangered Species Act and curbing the marginalization of nature’s diversity of life. WILDEARTH GUARDIANS’ aim for the past several years has been to break this logjam and allow all plants and animals a chance at survival and the protection the law offers.

Our Western Ark campaign, launched in 2008, and our BioBlitz campaign, launched late last year, are just a few strategies to build



Human actions can ensure all species, from the charismatic wolf to a tiny snowfly, survive for future generations.



ESA AND THE GULF DISASTER

Most observers agree that the greatest victim of British Petroleum’s Deepwater Horizon oil drilling rig explosion and collapse will be the Kemp’s Ridley sea turtle. Once swimming away from the brink, it is now crawling back toward extinction through oil-slicked waters.

WILDEARTH GUARDIANS filed a petition seeking critical habitat protection under the Endangered Species Act for the Kemp’s Ridley in the Gulf of Mexico on February 17, 2010. In our petition, we requested protection of this sea turtle’s habitat, and we pointed out the danger from oil drilling. While our petition sat on the Interior Secretary’s desk, his agency was simultaneously rubber-stamping off-shore drilling in this sea turtle’s habitat. The Kemp Ridley’s tale is just one illustration of what happens when the wisdom and precaution of the ESA are ignored.

WHY ARE YOU A GUARDIAN?



We think WILDEARTH GUARDIANS are important, and give a voice to animals. The GUARDIANS help people understand animals. They are trying to make a change for animals that otherwise wouldn't be here, and we support all they do.

In February, Paul and Luke worked with WILDEARTH GUARDIANS and partners to pressure the Utah State Legislature to pass a resolution that would declare February 2nd Prairie Dog Day. The brothers presented over 1,000 signatures to their state representative in support of their resolution.

— LUKE ZITTING
Age 12

— PAUL ZITTING
Age 10

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WILDEARTH GUARDIANS:
wildearthguardians.org

momentum against the logjam. Our Endangered Species Act work is designed to keep the pressure on the Department of Interior and the Fish and Wildlife Service and shed light on the sheer number of species at risk as well as the legal and moral imperative for protecting these creatures for future generations.

In 2007, we filed two mass petitions that, together, requested federal listing for nearly 700 species in the western U.S. As part of our Western Ark campaign, we filed petitions on behalf of 13 species in 18 states as well as parts of Canada and Mexico. Similarly, as part of our BioBlitz campaign, we filed petitions and lawsuits for more than 100 species in 36 consecutive days of action.

With these campaigns' petitions, we give the Service independent scientific assessments of the status of some of our nation's most imperiled species. We give them the facts they need to understand how, why, and where populations are dwindling. We give them the chance to practice the restraint that Congress entrusted to them

when passing the ESA.

Surprisingly, however, the Fish and Wildlife Service often ignores the information and science we hand them. They stall and drag their feet while the threats faced by animals like the Sonoran desert tortoise continue to mount. So we take them to court and force them to act.

A walk through the list of the species we've ushered onto the road toward protection – either using petitions or lawsuits – is a journey through the dazzling array of diversity and beauty. These creatures come in all colors: black-spotted newt, pale blue-eyed grass, white-sided jackrabbit. Some have specialized

in specific places: White Sands pupfish, Pecos pupfish, Arkansas River speckled chub, Comal Springs salamander, Great Sand Dunes tiger beetle. Others have whimsical names: mist forestfly, Mexican fawnsfoot, golden orb.

We've advocated for icons such as the southwest's Gila Monster. With the relentless onslaught of urban and suburban development in Utah, Gila monster populations have dwindled to just a couple hundred individuals though the state once enjoyed robust populations. We petitioned for this stunning lizard's listing in the Utah portion of its range as part of the BioBlitz. We stated in our petition that this unique and irreplaceable creature needs "protection from increasing human populations, our infrastructure, our vehicles, and our domestic animals. The Monster's venom is no defense against humanity."

We've advocated for fluttering and colorful pollinators such as the Bay Skipper, a rare butterfly that is known to live only in the coastal areas of Texas and Mississippi. With the backdrop of the Deepwater Horizon oil spill, a federal lifeboat in the form of ESA listing can come none too soon for the butterfly.

And we've advocated for outrageous-looking anomalies such as the bumphead parrotfish. After our petition to protect this fish, Commerce Secretary Locke agreed with us that the bumphead deserves review for federal protection. We consider this increasingly rare large fish to be a "polar bear of the South Pacific," given the extreme threat posed to its survival by the climate crisis. Each adult fish requires over five tons of coral per year, which it excretes as beautiful tropical sands. But climate change threatens the future of this ecologically vital reef fish.

Altogether, we have taken action on well over 1,000 species in the last several years, pressing the federal government to grant them passage onboard the nation's legal ark.

The Service is starting to take notice. In court filings, they're referred to our efforts to add deserving species to the list as "unprecedented." Top-level Interior and Service officials are focusing on a response to our efforts. They're pulling out all the procedural court tactics they can just to get us to slow down. In addition, the Department of Justice has noticed and recommended a consolidation of our cases so that the government can begin to address the threats facing the deserving creatures that WILDEARTH GUARDIANS has brought to light.

While we're keeping the pressure on, through our many petitions and lawsuits, we are regularly urging the Service to sit down with us to map out priorities for moving forward.

DR. DANIEL BECK



DAVID SARCOZI



UNDERSEAPRODUCTION.COM



JURGEN HESS



A walk through the species WILDEARTH GUARDIANS has ushered onto the road toward protection is a journey through the dazzling array of diversity and beauty.

Ultimately, we believe the solution lies in the federal government not fighting us, but rather recognizing that we must heed the warning and practice the restraint that will allow the Sonoran desert tortoise and hundreds of species like her to complete their journeys for many generations to come.

As renowned author Terry Tempest Williams says, “we have forgotten the option of restraint.” Whether in the form of our own exponentially growing human population, where and whether to build that next strip mall, or finding ways every day to limit humanity’s

footprint, the Endangered Species Act offers a chance to pause.

In this pause, we can consider the questions that will decide our collective futures. Will the Interior Department break the Endangered Species Act listing logjam and allow the lone Sonoran desert tortoise to complete her journey into future generations? Or will the federal government continue to delay and deny the tortoise protection, furthering the untempered and unrestrained obstacles in her path?

Visit Endangered Species Act at wildearthguardians.org

GOOD NEWS FROM THE GUARDIANS

NATIONAL BIOLOGICAL INFORMATION INFRA-
STRUCTURE/PACIFIC BASIN INFORMATION NODE



HAWAII SPECIES PROTECTED

In April, the Fish and Wildlife Service finally published a rule indicating that 48 species in the President’s home state of Hawaii will be protected under the Endangered Species Act. The government action came while WILDEARTH GUARDIANS had been in court challenging their delay in protecting these Kauai’s species. The 45 plants, 2 birds, and picture-wing fly are so endangered that only a few individuals survive, and some species may have gone extinct awaiting this federal listing, which took effect in May. The WILDEARTH GUARDIANS efforts for these Pacific species is part of our BioBlitz campaign, which is pressuring the federal government to enforce the Endangered Species Act across the country and especially in the American West.

Visit Endangered Species Act at wildearthguardians.org

SET BACK FOR DIRTY ENERGY

WILDEARTH GUARDIANS’ five year battle to keep dirty biomass energy out of the mix in New Mexico reached a milestone when the state revoked nearly \$30 million in tax credits it awarded earlier to an energy production company. The biomass energy developer did not meet the 24-month deadline to generate electricity from New Mexico’s precious, natural forests. While lobbyists and many states continue to promote biomass as clean and renewable, WILDEARTH GUARDIANS educates policymakers about what is in reality a dirty and destructive source of energy. Burning biomass, especially, that derived from forests, can produce twice as much carbon than coal and it takes centuries for a tree to mature and absorb an equal amount of carbon as it releases when burned.

Visit Appropriate Renewables at wildearthguardians.org



BLM



132,000 ACRES SPARED

WILDEARTH GUARDIANS and partner groups reached a groundbreaking legal settlement with the U.S. Bureau of Land Management last March, forcing the agency to assess and limit greenhouse gas emissions associated with oil and gas drilling. The lawsuit, brought on our behalf by the Western Environmental Law Center, spares 41,000 acres across Montana from drilling. Making the victory even sweeter, the BLM subsequently withdrew another 91,000 acres from drilling in April in response to our settlement. It’s a big step forward for holding the BLM accountable to addressing the full global warming impacts of oil and gas drilling.

Visit Challenging Fossil Fuel Use at wildearthguardians.org



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This good news is made possible by your generous donations. As evidenced by our consistent 4-star rating from Charity Navigator, WILDEARTH GUARDIANS efficiently and effectively leverages your donations to get the job done.

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GUARDIAN PROFILES

Angelisa Espinoza



Angelisa Espinoza joined WILDEARTH GUARDIANS in 2010 and is our Office Administrator. She has spent the last eight years working as a travel guide in various places including New Mexico, Arizona, Utah, Hawaii, Maine, Alaska and New Zealand. She has a passionate love for wild places and enjoys being part of an organization that works hard to keep these places wild. She grew up in Arizona and received her degree from Northern Arizona University. Angelisa enjoys spending time on her road bike, taking in the scenery and impressive lightening around New Mexico. She also enjoys cooking, travel, camping and playing guitar with friends.

Kevin Gaither-Banchoff

Kevin Gaither-Banchoff joined WILDEARTH GUARDIANS in 2010 as our Development Director. Kevin moved to the Southwest in late 1994 and has worked ever since to protect the biodiversity and wild nature of the southwest. He has served as Development Director for both Native Seeds/Search and The Wildlands Project, worked as a fundraising and organizational development consultant for numerous local and regional conservation non-profits, and spent the last four years working as Executive Director for the Arizona Wilderness Coalition. Kevin enjoys sharing his vision for a healthy and vibrant western landscape with his family and friends, and the many wild critters that make this same land their home. Kevin lives in Tucson with his wife Kelli and two girls Abby and Allie, loves to camp, hike, garden and be outdoors. Kevin has been a member of the Association of Fundraising Professionals since 1996. Kevin is looking forward to talking with as many of our members as possible over the next couple of months, you can call him at 520.869.4673.



SPECIES IN THE SPOTLIGHT

Jaguarundi

THOMAS MARENT



The Jaguarundi is nicknamed the “otter cat” and “weasel cat,” given its unique appearance. Not closely related to other small neotropical cats, Jaguarundis descended from European ancestors. This cat is very vocal, with a range of 13 different calls, from purrs to whistles. In the U.S., it is stranded – along with the ocelot – on a few tiny islands of its thornscrub habitat in Texas, in a sea of hostile landscape. Human population growth drives the threats it faces, including agriculture, development, and border walls and fences.

The Jaguarundi’s federal listing as endangered helps it to survive, but WILDEARTH GUARDIANS is pushing for greater habitat protections that would help it to recover viable populations for future generations.

Visit Western Ark at wildearthguardians.org