

April 27, 2009

The Honorable Gary Locke
Secretary, U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

The Honorable Ken Salazar
Secretary, U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Dear Secretary Locke and Secretary Salazar,

As scientists with expertise in biological diversity and loss of species, we urge you to overhaul actions and rule changes that weaken the scientific foundation of the Endangered Species Act (ESA). Congress has recently given you additional authority to begin to restore the scientific underpinnings of the ESA by allowing you to rescind two rules implemented in the final days of the Bush administration. These rules fundamentally undermine the ability of science and scientists to protect our nation's biodiversity.

The rules in question allow any federal agency to independently decide whether protected species would be threatened by their projects. Previously, when a federal agency considered a project such as a highway, dam, or mine, it was required to consult with the Fish and Wildlife Service (FWS) or National Marine Fisheries Service (NMFS). These "informal" consultations typically led to minor adjustments being made to the planned action that lessened the anticipated impact. This process also helped identify projects with particularly severe or complicated effects, which then received a thorough "formal" consultation.

Many federal agencies do not have the biological expertise to determine the consequences of federal projects on endangered species, and may have vested interests in the implementation of a project. The FWS and NMFS consultations have, for decades, served as important checks and balances to keep our nation's biodiversity safe. Consultation creates a method for informed decision-making that provides better protections for endangered species and has led to successful mitigation efforts for hundreds of species.

The rules also sharply limit the types of information federal scientists can consider when evaluating federal projects, carving out broad exemptions for impacts that "are manifested through global processes" or result in "an extremely small, insignificant impact" on protected species. This is problematic because many severe environmental problems result from sources that individually might be minor but collectively cause serious harm. Fortunately, federal scientists have a decades-long proven track record of analyzing cumulative effects.

On March 3, 2009, President Obama issued a Presidential memorandum requesting that the Departments of Commerce and Interior review recent changes to Endangered Species Act implementation. On March 11, Congress passed legislation giving you special authority to immediately rescind the rules by May 8. "For more than three decades," said the president, "The

Endangered Species Act has successfully protected our nation's most threatened wildlife, and we should be looking for ways to improve it—not weaken it.” We agree.

As you follow President Obama’s directive to find ways to strengthen the Endangered Species Act, we encourage you to ensure that the federal government is in the position to examine and regulate all challenges to endangered species. The threats our world face continue to evolve as we impact the environment in different ways. Federal government scientists must be given the ability to evaluate these emerging threats and communicate their consequences for imperiled species.

The Endangered Species Act is one of our most important environmental laws because of its reliance on robust scientific analysis. According to a May 30, 2005 article in *Science*, less than one percent of listed species have gone extinct since 1973, while 10 percent of candidate species still waiting to be listed have suffered that fate. A more recent comprehensive analysis demonstrates that listed species tended toward recovery more than not and the more thoroughly the ESA was applied the stronger their recovery.¹ In addition to the hundreds of species that the ESA has protected from extinction, listing has contributed to population increases or the stabilization of populations for at least 35 percent of listed species, and perhaps significantly more, as well as the recovery of such signature species as the peregrine falcon.

Congress has recognized that recently enacted regulations should be rolled back and has given you the power to do so within a limited time that is fast expiring. Because the new rules compromise the quality and independence of scientific review and thereby undermine effective protections for wildlife and their habitats, we urge you to take swift action to rescind the rules.

Sincerely,

(signers listed alphabetically by state)

cc:

The Honorable Jane Lubchenco
Administrator, National Oceanic and Atmospheric Administration
Room 5128
1401 Constitution Avenue, NW
Washington, DC 20230

The Honorable John Holdren
Director, Office of Science and Technology Policy
Executive Office of the President
725 17th Street Room 5228
Washington, DC 20502

¹ Performance of the Endangered Species Act, Mark W. Schwartz, *Annu. Rev. Ecol. Evol. Syst.* 2008. 39:279–99

ILLINOIS

Michael Allen, B.S.

Department of Ecology, Evolution, and
Conservation Biology
University of Illinois
Urbana, IL

Alison Anastasio, Ph.D.

University of Chicago
Chicago, IL

Richard Anderson, Ph.D.

Professor and Chair
Department of Biological Science
Western Illinois University
Macomb, IL

Joseph Armstrong, Ph.D.

Professor of Botany
Department of Biological Science
Illinois State University
Normal, IL

Rudiger Bieler, Ph.D.

Curator, Department of Zoology
Field Museum of Natural History
Oak Park, IL

Jeffrey Brawn, Ph.D.

Professor and Director
Program in Ecology, Evolution and Conservation
University of Illinois at Urbana-Champaign
White Heath, IL

Everett Cashatt, Ph.D.

Chair and Curator
Department of Zoology
Illinois State Museum
Springfield, IL

Martha Cook, Ph.D.

Assoc Prof of Botany
Department of Biological Science
Illinois State University
Normal, IL

Elizabeth Davis-Berg, Ph.D.

Assistant Professor
Science & Mathematics
Columbia College Chicago
Chicago, IL

George Feldhamer, Ph.D.

Professor
Department of Zoology
Southern Illinois University
Carbondale, IL

Erin Grey, Ph.D. candidate

Department of Ecology and Evolution
University of Chicago
Chicago, IL

Stephen Hager, Ph.D.

Co-Chair and Associate Professor
Biology Department
Augustana College
Rock Island, IL

Priscilla Joyner, D.V.M.

Wildlife Veterinarian
Global Health Program
Wildlife Conservation Society
Arlington Heights, IL

Jason Koontz, Ph.D.

Assistant Professor
Department of Biology
Augustana College
Rock Island, IL

Andrea Kramer, Ph.D.

Executive Director
Botanic Gardens Conservation International
Glencoe, IL

Kipp Kruse, Ph.D.

Professor
Department of Biology
Eastern Illinois University
Charleston, IL

Sabine Loew, Ph.D.

Associate Professor
Department of Biology
Illinois State University
Normal, IL

Kenneth McCravy, Ph.D.
Associate Professor
Department of Biological Science
Western Illinois University
Macomb, IL

Susan Meiers, Ph.D.
Associate Professor
Department of Biology
Western Illinois University
Macomb, IL

Gina Morgan, M.S.
University of Memphis
Chicago, IL

Daniel Niven, Ph.D.
Senior Scientist for Bird Conservation
Department of Science
National Audubon Society
Champaign, IL

Henry Owen, Ph.D.
Professor
Department of Biological Science
Eastern Illinois University
Charleston, IL

Ken Paige, Ph.D.
Professor and Head
Animal Biology
University of Illinois
Urbana, IL

Stephen Pruett-Jones, Ph.D.
Associate Professor
Department of Ecology and Evolution
University of Chicago
Riverside, IL

Lauren Quinn, Ph.D.
Postdoctoral Fellow
University of Illinois
Urbana, IL

Lucia Rothman-Denes, Ph.D.
Professor
Molecular Genetics and Cell Biology
The University of Chicago
Chicago, IL

Scott Sakaluk, Ph.D.
Professor
Department of Biological Science
Illinois State University
Normal, IL

N. Saunders, Ph.D. candidate
Research Assistant
Southern Illinois University Carbondale
Dowell, IL

Krissa Skogen, Ph.D.
Conservation Scientist
Department of Plant Science and Conservation
Chicago Botanic Garden
Glencoe, IL

Leellen Solter, Ph.D.
Insect Pathologist/Adjunct Professor
Illinois Natural History Survey
University of Illinois
Urbana, IL

Richard Sparks, Ph.D.
Director of Research
National Great Rivers Research Center
Elsah, IL

Brooke Talley, M.S.
Department of Zoology
Southern Illinois University
Carbondale, IL

Ben Wodika, M.S.
Department of Plant Biology
Southern Illinois University
Carbondale, IL

Edmond Zaborski, Ph.D.
University of Illinois
Champaign, IL

IOWA

Paul Bartelt, Ph.D.

Professor of Biology
Department of Biology
Waldorf College
Forest City, IA

Russ Benedict, Ph.D.

Associate Professor
Department of Biology
Central College
Pella, IA

Naomi Bobe, D.V.M. candidate

Center for Veterinary Medicine
Iowa State University
Ames, IA

James Colbert, Ph.D.

Associate Professor
Department of Ecology, Evolution, and
Organismal Biology
Iowa State University
Ames, IA

Brent Danielson, Ph.D.

Professor
Department of Ecology, Evolution, & Organismal
Biology
Iowa State University
Ames, IA

Diane Debinski, Ph.D.

Professor
Department of Ecology, Evolution, and
Organismal Biology
Iowa State University
Ames, IA

Anna Gurevich, D.V.M. candidate

College of Veterinary Medicine
Iowa State University
Ames, IA

Karri Haen, Ph.D. candidate

Iowa State University
Ames, IA

Erwin Klaas, Ph.D.

Professor Emeritus
Natural Resources Ecology Management
Iowa State University
Ames, IA

Richard Lampe, Ph.D.

Professor
Department of Biology
Buena Vista University
Storm Lake, IA

Marina McCoy, D.V.M. candidate

College of Veterinary Medicine
Iowa State University
Ames, IA

Becky Noel, D.V.M. candidate

American Veterinary Medical Association
Ames, IA

Todd Ontl, M.S.

Graduate Research Assistant
Natural Resource Ecology and Management
Iowa State University
Ames, IA

Todd Ontl, M.S.

Graduate Research Assistant
Natural Resource Ecology and Management
Iowa State University
Ames, IA

Naida Osborne, D.V.M. candidate

College of Veterinary Medicine
Iowa State University
Ames, IA

Jennifer Quinlan, D.V.M. candidate

American Veterinary Medical Association
Ames, IA

Nivedita Ravichandran, D.V.M. candidate

College of Veterinary Medicine
Iowa State University
Ames, IA

Nicole Seda, D.V.M. candidate
College of Veterinary Medicine
Iowa State University
Ames, IA

Amanda Silverberg, D.V.M. candidate
Ames, IA

Paul Skrade, M.S.
Iowa State University
Ames, IA

Irma Tapia, M.S. candidate
M.S. candidate
Natural Resource Ecology and Management
Iowa State University
Ames, IA

KANSAS

Kenneth Armitage, Ph.D.
Professor Emeritus
Department of Ecology & Evolutionary Biology
The University of Kansas
Lawrence, KS

Scott Campbell, M.S.
Associate Director
University of Kansas Field Station
Lawrence, KS

Helen Hands, M.S.
Wildlife Biologist
Fisheries & Wildlife Department
Kansas Department of Wildlife and Parks
Great Bend, KS

Lorna Harder, M.S. candidate
Department of Biology
Hesston College
Hesston, KS

Christine Hinze, D.V.M.
American Association of Wildlife Veterinarians
Wichita, KS

Anthony Joern, Ph.D.
Professor of Biology
Division of Biology
Kansas State University
Olsburg, KS

Donald Kaufman, Ph.D.
Professor
Biology Department
Kansas State University
Manhattan, KS

Richard Packauskas, Ph.D.
Department of Biological Science
Fort Hays State University
Hays, KS

Joan Ratzlaff, M.S.
Environmental Scientist II
State of Kansas
Salina, KS

Mackenzie Shardlow, M.S. candidate
Graduate Research Assistant
Division of Biology
Kansas State University
Manhattan, KS

Val Smith, Ph.D.
Professor
Department of Ecology & Evolutionary Biology
University of Kansas
Lawrence, KS

Kimberly With, Ph.D.
Associate Professor
Department of Biology
Kansas State University
Manhattan, KS

Eugene Young, M.S.
Professor, Editor KOS Bulletin
Department of Science
Northern Oklahoma College
Arkansas City, KS

MISSOURI

James Allen, Ph.D.

Research Assistant Professor
Department of Biological Science
University of Missouri
Hermann, MO

Jenna Armstrong, D.V.M. candidate

University of Missouri
Columbia, MO

Jeffrey Bonner, Ph.D.

President and CEO
St. Louis Zoo
St. Louis, MO

Beth Bowles, Ph.D.

Research Scientist
Department of Biology
Missouri State University
Fair Grove, MO

Rainer Bussmann, Ph.D.

Director
William L. Brown Center
Missouri Botanical Garden
St. Louis, MO

Donna Hart, Ph.D.

Associate Teaching Professor
Anthropology
University of Missouri, St. Louis
St. Louis, MO

Emily Horner, M.S.

Natural History Biologist
Missouri Department of Conservation
Higginsville, MO

Kathryn Kennedy, Ph.D.

Executive Director
Center For Plant Conservation
St. Louis, MO

Dylan Kesler, Ph.D.

Assistant Professor
Fisheries and Wildlife Sciences
University of Missouri, Columbia
Columbia, MO

Stephanie Lathrop, Ph.D. candidate

Program in Immunology
Washington University in Saint Louis
St. Louis, MO

A.J.C. Lenox, M.S.

Washington University in Saint Louis
St. Louis, MO

Lee O'Brien, M.S.

Webster Groves, MO

Linda Oestry, Ph.D. candidate

Research Librarian
Research Department
Missouri Botanical Garden
St. Louis, MO

Patrick Osborne, Ph.D.

Executive Director
Department of Biology
University of Missouri, St. Louis
St. Louis, MO

Peter Raven, Ph.D.

President
Missouri Botanical Garden
St. Louis, MO

Larry Rizzo, M.S.

Natural History Biologist
Missouri Department of Conservation
Blue Springs, MO

Michael Roell, Ph.D.

Resource Science Supervisor
Missouri Department of Conservation
Harrisburg, MO

Heidi Schmidt, M.S.

Missouri Botanical Garden
St. Louis, MO

John Schulz, M.S.

Resource Scientist
Resource Science Division
Missouri Department of Conservation
Columbia, MO

Ginger Takle, D.V.M.

Zoo Veterinarian
Kansas City Zoo
Kansas City, MO

Sandta Tedder, Ph.D.

Professor Tedder
Department of Biology
NorthWest AR Comm. College
Bolivar, MO

Richard Zander, Ph.D.

Research Associate
Research and Conservation
Missouri Botanical Garden
St. Louis, MO

NEBRASKA

Rick Brenneman, Ph.D.

Omaha's Henry Doorly Zoo
Omaha, NE

Matthew Giovanni, Ph.D. candidate

School of Natural Resources
University of Nebraska, Lincoln
Lincoln, NE

Barbara Kagima, M.S.

Department of Agronomy and Horticulture
University of Nebraska, Lincoln
Lincoln, NE

Jeffrey Luskj, Ph.D.

Adjunct Assistant Professor
School of Natural Resources
University of Nebraska, Lincoln
Lincoln, NE

Stephen Spomer, M.S.

Research technologist
Department of Entomology
University of Nebraska
Lincoln, NE

Brigitte Tenhumberg, Ph.D.

Assistant Professor
School of Biological Sciences
University of Nebraska, Lincoln
Lincoln, NE

Andrew Tyre, Ph.D.

Assistant Professor
School of Natural Resources
University of Nebraska, Lincoln
Lincoln, NE

NORTH DAKOTA

Jennifer Kross, M.S.

Biologist
Jamestown, ND