

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.<sup>1</sup> 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

---

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

## CONNECTICUT

**Suzanne Alonzo, Ph.D.**

Assistant Professor  
Department of Ecology & Evolutionary Biology  
Yale University  
New Haven, CT

**Peter Auster, Ph.D.**

Research Associate Professor  
Department of Marine Sciences  
University of Connecticut  
Chester, CT

**Ian Berke, Ph.D.**

Postdoctoral Associate  
Molecular Biophysics and Biochemistry  
Yale University  
New Haven, CT

**Richard Campbell**

Forestry Department  
Yale University  
New Haven, CT

**Robert Capers, Ph.D.**

Plant collections manager  
Department of Ecology & Evolutionary Biology  
University of Connecticut  
Mansfield Center, CT

**James Drennan, B.S.**

Naturalist / Land Manager  
National Audubon Society  
Naugatuck, CT

**Diana Drennan, Ph.D.**

Computational Chemist  
Unilever R&D  
Naugatuck, CT

**Elizabeth Evans, M.S.**

President  
Evans Associates Environmental Consulting, Inc.  
Bethany, CT

**Sylvia Halkin, Ph.D.**

Professor of Biology  
Department of Biology  
Central Connecticut State University  
West Hartford, CT

**Torrance Hanley, Ph.D. candidate**

Yale University  
Glastonbury, CT

**David Miller, Ph.D.**

Professor  
Department of Psychology  
University of Connecticut  
Storrs, CT

**Antonia Monteiro, Ph.D.**

Yale University  
Hamden, CT

**John Nelson, Ph.D.**

Bethlehem, CT

**Richard Prum, Ph.D.**

Professor  
Department of Ecology & Evolutionary Biology  
Yale University  
New Haven, CT

**Michael Singer, Ph.D.**

Assistant Professor  
Department of Biology  
Wesleyan University  
Middletown, CT

**Stephen Stearns, Ph.D.**

Professor  
Department of Ecology & Evolutionary Biology  
Yale University  
New Haven, CT

## MAINE

**Shirley Davis, M.S.**

Emerita  
Life Long Learning  
Orono, ME

**Angela Fuller, Ph.D.**

Associate Graduate Faculty  
Department of Wildlife Ecology  
University of Maine  
Orono, ME

**David Hart, Ph.D.**

Director and Professor  
Mitchell Ctr. for Environmental Research  
University of Maine  
Winterport, ME

**Malcolm Hunter, Ph.D.**

Libra Professor of Conservation Biology  
Wildlife Ecology  
University of Maine  
Orono, ME

**John Lemons, Ph.D.**

Professor  
Department of Environmental Studies  
University of New England  
Biddeford, ME

**David Mallett, M.S. candidate**

Wildlife Ecology  
University of Maine  
Old Town, ME

**Frances Perlman, M.S.**

Columbia University, retired  
West Paris, ME

**Mary Petersen, Ph.D.**

Scholar in Residence (Retired but active)  
Darling Marine Center  
University of Maine  
Walpole, ME

**Collin Roesler, Ph.D.**

Associate Research Scientist  
School of Marine Sciences  
University of Maine  
Alan, ME

**Erin Simons, Ph.D. candidate**

Assistant Scientist  
Department of Wildlife Ecology  
University of Maine  
Old Town, ME

**Frederick Wright, Ph.D.**

Southwest Harbor, ME

**Marie Louise Zwicker, M.S. candidate**

Florida Atlantic University/ Nova Southeastern  
University  
Sullivan, ME

## MASSACHUSETTS

**James L. Baird, Jr, Ph.D.**

Director Emeritus  
Avery Point Campus  
University of Connecticut  
Mashpee, MA

**Adam Bausch, M.S.**

Research Assistant  
Africa Program  
Woods Hole Research Center  
Falmouth, MA

**Pieter Beck, Ph.D.**

Woods Hole Research Center  
Falmouth, MA

**Aaron Bernstein, M.D.**

Harvard Medical School  
Boston, MA

**David Boufford, Ph.D.**

Senior Research Scientist  
Harvard University Herbaria  
Cambridge, MA

**Ken Buesseler, Ph.D.**

Senior Scientist  
Marine Chemistry and Geochemistry  
Woods Hole Oceanographic Institution  
Woods Hole, MA

**Salvatore Cerchio, Ph.D.**

Associate Conservation Scientist  
Cetacean Conservation and Research Program  
Wildlife Conservation Society  
Quincy, MA

**Megan Chesser, M.S. candidate**

Amphibian Research Technician  
Natural Resources Conservation  
University of Massachusetts, Amherst  
Amherst, MA

**Eric Chivian, M.D.**

Director and Assistant Professor  
Center for Health and Global Environment  
Harvard Medical School  
Boston, MA

**Ralph Clover, Ph.D.**

Cambridge, MA

**Jim Corven, Ph.D.**

Associate Professor, Science & Mathematics  
Bristol Community College  
Sandwich, MA

**Evan Dalton, B.S.**

Biological Technician  
Manomet Bird Observatory  
Kingston, MA

**Kery Ellis, M.S. candidate**

Conservation Biology  
Antioch New England Graduate School  
Holyoke, MA

**Peter Frumhoff, Ph.D.**

Director of Science and Policy  
Union of Concerned Scientists  
Cambridge, MA

**Russell Gaulin, M.S.**

Environmental Analyst  
GIS Program  
Massachusetts Department of Environmental  
Protection  
Winchendon, MA

**Scott Goetz, Ph.D.**

Senior Scientist  
Woods Hole Research Center  
Falmouth, MA

**Douglas Goldman, Ph.D.**

Harvard University  
Cambridge, MA

**Sandra Haire, Ph.D.**

Ecologist  
Natural Resources Conservation  
University of Massachusetts  
Amherst, MA

**James Hanken, Ph.D.**

Director  
Museum of Comparative Zoology  
Harvard University  
Concord, MA

**Brian Harrington, M.S.**

Senior Scientist, Emeritus  
Coastal Wildlife  
Manomet Center for Conservation Sciences  
Plymouth, MA

**Rebecca Harris, Ph.D.**

Director, Coastal Waterbird Program  
Conservation Science and Ecol. Man.  
Mass Audubon  
Yarmouth Port, MA

**Troy Hill, M.S.**

Research Assistant  
The Ecosystems Center  
Marine Biological Laboratory  
Longmeadow, MA

**Martha Hoopes, Ph.D.**

Clare Boothe Luce Assistant Professor  
Department of Biological Science  
Mount Holyoke College  
Easthampton, MA

**Markes Johnson, Ph.D.**  
Professor of Geosciences  
Williams College  
Williamstown, MA

**David Kaplan, M.S.**  
Watershed Protection Supervisor  
City of Cambridge  
Cambridge, MA

**Gretchen Kaufman, D.V.M.**  
Assistant Professor  
Department of Environmental and Population  
Health  
Tufts University  
Cambridge, MA

**Amy Knowlton, M.S.**  
Research Scientist  
Research Department  
New England Aquarium  
Cambridge, MA

**Denise Lello, Ph.D.**  
Adjunct Professor, Research Associate  
Department of Biological Science  
Smith College  
Northampton, MA

**Susannah Lerman, Ph.D. candidate**  
Research Assistant  
Department of Biology  
University of Massachusetts  
Amherst, MA

**Jeffrey Lerner, M.S.**  
Adjunct Professor  
Department of Biology  
Holyoke Community College  
Worcester, MA

**Aviva Liebert, Ph.D.**  
Assistant Professor  
Department of Biology  
Framingham State College  
Brookline, MA

**Michael Loranty, Ph.D.**  
Postdoctoral Research Fellow  
Woods Hole Research Center  
Falmouth, MA

**Luis Malaret, Ph.D.**  
Professor of Biology  
Department of Biology  
Community College of Island  
Worcester, MA

**Charles Marshall, Ph.D.**  
Professor of Biology and Geology  
Organismic and Evolutionary Biology Department  
Harvard University  
Cambridge, MA

**Janet Martin, D.V.M.**  
Cummings School of Veterinary Medicine  
Tufts University  
Southbridge, MA

**Sarah McCormack, D.V.M. candidate**  
Tufts University  
Grafton, MA

**Judy McKinley Brewer, Ph.D.**  
Senior Postdoctoral Research Associate  
Department of Biology  
University of Massachusetts, Amherst  
Amherst, MA

**Dana Moseley, Ph.D. candidate**  
Organismic and Evolutionary Biology Department  
University of Massachusetts, Amherst  
Northampton, MA

**Michael Nelson, Ph.D.**  
Invertebrate Zoologist  
Endangered Species Program  
MA Division of Fisheries & Wildlife  
Westborough, MA

**Laura Parfrey, Ph.D. candidate**  
Organismic and Evolutionary Biology  
University of Massachusetts, Amherst  
Amherst, MA

**Harold Pariser, Ph.D.**  
Assistant Professor  
Department of Biology  
Salem State College  
Salem, MA

**Irene Pepperberg, Ph.D.**  
Adjunct Associate Professor  
Department of Psychology  
Brandeis University  
Swampscott, MA

**Nicholas Pioppi, M.S. candidate**  
Environmental Associate  
Alden Research Laboratory, Inc.  
Wellesley, MA

**Swee Quek, Ph.D.**  
Harvard University  
Cambridge, MA

**Stan Rachootin, Ph.D.**  
Professor  
Department of Biological Science  
Mount Holyoke College  
Amherst, MA

**J. Reed, Ph.D.**  
Professor  
Department of Biology  
Tufts University  
Medford, MA

**Allen Rutberg, Ph.D.**  
Research Assistant Professor  
Cummings School of Veterinary Medicine  
Tufts University  
Holliston, MA

**Jennifer Seavey, Ph.D. candidate**  
Natural Resource Conservation  
Smith College  
Hadley, MA

**David Tapley, Ph.D.**  
Associate Professor  
Department of Biology  
Salem State College  
Salem, MA

**Christie Taylor, D.V.M. candidate**  
Tufts University  
Millbury, MA

**Luke Thompson, Ph.D. candidate**  
Department of Biology  
Massachusetts Institute of Technology  
Boston, MA

**Brad Timm, M.S.**  
Wildlife Ecologist  
Department of Natural Resources Conservation  
University of Massachusetts, Amherst  
Greenfield, MA

**Sacha Vignieri, Ph.D.**  
Post-Doctoral Fellow  
Organismic and Evolutionary Biology Department  
Harvard University  
Watertown, MA

**Tracy Ware, Ph.D.**  
Professor  
Department of Biology  
Salem State College  
Salem, MA

**Richard Wright, Ph.D.**  
Professor of Biology, Emeritus  
Gordon College  
Byfield, MA

**Jill Yoshizawa, D.V.M. candidate**  
Tufts University  
Westborough, MA

## **NEW HAMPSHIRE**

**Jeb Byers, Ph.D.**  
Department of Ecology  
University of Georgia  
Durham, NH

**Richard Holmes, Ph.D.**  
Professor of Environmental Biology Emeritus  
Department of Biological Science  
Dartmouth College  
Grantham, NH

**Marian Litvaitis, Ph.D.**

Professor of Zoology  
Natural Resources and the Environment  
University of New Hampshire  
Madbury, NH

**Inga Sidor, D.V.M.**

Senior Veterinary Pathologist  
NH Veterinary Diagnostic Laboratory  
University of New Hampshire  
Durham, NH

**John Litvaitis, Ph.D.**

Professor of Wildlife Ecology  
Natural Resources  
University of New Hampshire  
Durham, NH

**RHODE ISLAND**

**John Coleman, Ph.D.**

Professor Emeritus of Biology  
Molecular Biology, Cell Biology & Biochemistry  
Brown University  
Providence, RI

**Dorothy Read, Ph.D.**

Professor Emerita  
Department of Biology  
University of Massachusetts, Dartmouth  
Kingston, RI

**John Costello, Ph.D.**

Professor  
Department of Biology  
Providence College  
Providence, RI

**Johanna Schmitt, Ph.D.**

Stephen T. Olney Professor  
Environmental Change Initiative  
Brown University  
Providence, RI

**Sunshine Menezes, Ph.D.**

Executive Director  
Metcalf Institute  
URI Office of Marine Programs  
Narragansett, RI

**Linda Steere, M.S.**

Principal Wetland Biologist  
Applied Bio-Systems, Inc.  
West Kingston, RI

**VERMONT**

**Ted Auch, M.S.**

Plant and Soil Science Department  
University of Vermont  
Burlington, VT

**Suzanne Enser, M.S.**

Biologist  
White River Natural Resources Conservation  
District  
Braintree, VT

**Laura Caputo, M.S. candidate**

University of Vermont  
Burlington, VT

**Laura Farrell, M.S.**

Department of Biology  
University of Vermont  
Burlington, VT

**Terrence Delaney, Ph.D.**

Associate Professor  
Department of Plant Biology  
The University of Vermont  
Burlington, VT

**Julie Hart, B.S.**

Conservation Biologist  
Vermont Center for Ecostudies  
White River Junction, VT

**Bernd Heinrich, Ph.D. candidate**

Professor Emeritus  
Department of Biology  
University of Vermont  
Hinesburg, VT

**KathiJo Jankowski, M.S.**

University of Vermont  
Essex Junction, VT

**Gary Meffe, Ph.D.**

Editor-in-Chief, *Conservation Biology*  
Department of Wildlife Ecology and Conservation  
University of Florida  
Brandon, VT

**Rosalind Renfrew, Ph.D.**

Conservation Biologist  
Vermont Center for Ecostudies  
White River Junction, VT

**Christopher Rimmer, M.S.**

Director  
Vermont Center for Ecostudies  
Norwich, VT

**Joe Roman, Ph.D.**

University of Vermont  
Burlington, VT

**Stephen Trombulak, Ph.D.**

Department of Biology  
Middlebury College  
Weybridge, VT