

The Long View



Getting on the List *Historic Agreement Speeds Protection of Hundreds of America's Most Imperiled Wildlife*

By Noah Greenwald

Listing of plants and animals as threatened or endangered is the keystone of the Endangered Species Act. Only then do they benefit from the broad protections of this landmark law, which prohibits any person from taking or harming them and requires that any actions funded, permitted or carried out by federal agencies not jeopardize protected species or modify their critical habitat.

Yet, since passage of the Endangered Species Act in 1973, its effectiveness has been limited by a growing backlog of candidate species. The problem, which has left some critically-imperiled species in limbo as “candidates” for protection for decades, escalated during the Bush administration, which protected only 62 species over its eight year tenure. This despite a list of over 250 candidate species, including many that had been waiting for protection for 20-plus years.

Such delays have real consequences. In its research (<http://www.biologicaldiversity.org/publications/papers/ExtinctAndESA.pdf>) the Center for Biological Diversity found that at least 42 species have gone extinct waiting for protection, including a Hawaiian songbird called Bishop's 'O', a fish from the Great Lakes called the shortnose cisco, the Tacoma pocket gopher, and the Virgin Islands screech owl.

In 2011, a major breakthrough was achieved in the listing logjam through an historic agreement (the “Settlement Agreement”) between the Center and the U.S. Fish and Wildlife Service (“USFWS”) obligating USFWS to make timely decisions about Endangered Species Act protection for 757 species. Already, this Settlement Agreement has resulted in final protection of 54 plants and animals and proposed protection for another 65 species, including Oregon's American wolverine, streaked horned lark, and Taylor's checker-spot butterfly. ■

Noah Greenwald is a trained conservation biologist and directs the Center's endangered species program. He has written petitions to list hundreds of species as endangered or threatened under the Endangered Species Act and is a leading advocate for reform of federal programs to list species under the ESA.