



May 5, 2021

The Honorable Joseph R. Biden Jr.
President
1600 Pennsylvania Avenue NW
Washington, DC 20500

The Honorable Deb Haaland
Secretary of the Interior
1849 C St., N.W.
Washington, DC 20240

Dear President Biden and Secretary Haaland:

On behalf of the Endangered Species Coalition and the 117 undersigned member groups, representing millions of people in all fifty states and territories, we request that your Administration implement the following recommendations to strengthen the Endangered Species Act (ESA) to restore, expand, and enforce protections for imperiled wildlife and plants.

According to the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) Global Assessment Report on Biodiversity and Ecosystem Services, one million species of plants and animals could become threatened with extinction, leading to devastating impacts on humans globally. The IPBES has also found that future pandemic risk can be significantly lowered by reducing the human activities that drive the loss of biodiversity, such as land-use change, agricultural expansion and intensification, and plant and wildlife trade and consumption. In the United States, evidence demonstrates that communities bear the brunt of biodiversity loss—from the increase in air pollution due to a lack of tree cover to climate change impacts as a result of a loss of wetlands. It is clear that given the significant decline of plants and wildlife and the subsequent impact to humans, we must fully fund and implement current biodiversity conservation laws, and we must adopt new, visionary approaches and policies to increase biodiversity conservation.

FULLY IMPLEMENT THE ENDANGERED SPECIES ACT

The Endangered Species Act became law in 1973, when it was passed overwhelmingly in the House and unanimously in the Senate—including with then Senator Biden's vote—and signed into law by President Richard Nixon. The Endangered Species Act is a powerful and popular law in the fight against extinction and the destruction of wild places. In the nearly 50 years since it passed, it has been 99 percent successful in saving species from the brink of extinction. Some of its greatest successes include the bald eagle, the American alligator, and the humpback whale. The Endangered Species Act must be fully implemented as detailed below.

In order to protect the Endangered Species Act, to stop the biodiversity extinction crisis, to prevent future pandemics, and to protect human health, we ask the Biden Administration to reverse former President Trump's Endangered Species Act rollbacks

REVERSE FORMER PRESIDENT TRUMP'S ENDANGERED SPECIES ACT ROLLBACKS

Blanket 4(d) Rule ([84 FR 44753](#); finalized August 12, 2019):

This rule removes automatic protections for threatened species, meaning they could be listed as “threatened” and wait years to receive protections, i.e., for the Services to promulgate a species-specific regulation.

Listing and Critical Habitat Designation ([84 FR 45020](#); finalized August 12, 2019):

This rule allows the Services to include information on the economic impacts of listing a species, something Congress forbid in 1982 to limit political interference. It also allows the Services to ignore long-term threats such as climate change when listing a threatened species. And it drastically shrinks the requirements for designating critical habitat, e.g., the Services will not be required to designate critical habitat if a species is threatened by climate change.

Interagency consultation ([84 FR 44976](#); finalized August 12, 2019):

This rule undercuts the process of consultation between federal agencies and U.S. Fish and Wildlife Service (FWS)/National Marine Fisheries Service (NMFS), making it easier for industry impacts on listed species to be disregarded by essentially ignoring cumulative impacts. The “death-by-a-thousand-cuts” scenario is the most dangerous to critical habitat protections in real-world applications.

Definition of Habitat ([85 FR 81411](#); finalized December 16, 2020):

This rule limits FWS and NMFS’ ability to establish needed critical habitat to only those areas that could *currently* support a species. This rules out protecting a species historic habitat that it may need to fully recover since the majority of habitat in the U.S. has been substantially degraded and needs restoration. Additionally, species will need new habitats as they are forced to move to new areas due to climate change.

Critical Habitat Designation ([85 FR 82376](#); finalized December 18, 2020):

This rule expands FWS’s justifications and processes for excluding areas from critical habitat protections in order to fast track development. It contradicts the plain language of the Endangered Species Act. And it makes it more difficult for FWS to designate federal land as critical habitat when oil & gas companies, ranchers, and other “non-federal entities” have land use permits, leases, or contracts on the land.

Since we are in an extinction crisis, urgency is required and a Biden Administration Executive Order overturning these environmental rollbacks would be the most efficient route.

INCREASE ENDANGERED SPECIES ACT FUNDING

Endangered Species Act funding has remained flat for a decade, as populations and protections have declined and the need increased. We respectfully request that the Biden Administration fully fund and robustly implement Endangered Species Act programs. The data show that the Service requires a budget of \$592.1 million, distributed across five programs, starting in FY2022.

Specifically, we request substantial increases in funding for FWS and NMFS programs including FWS Listing, Recovery, Planning, and Consultation, Conservation and Restoration, and the Cooperative Endangered Species Conservation Fund, as well as NMFS Protected Species Research and

Management. Such funding increases would:

- a) Expand capacity for listing species and designating critical habitat sufficient to address the backlog of petitions and to prevent future backlogs.
- b) Provide capacity for grants to states and territories to enable them to work cooperatively with landowners, communities, and tribes to foster voluntary stewardship efforts on private lands.
- c) Allow for the implementation of species' recovery plans and needed recovery actions. Data shows that fully implementing recovery plans for all listed species would require approximately \$2.3 billion per year. However, even increasing the recovery budget to \$240 million or more would create short-term habitat restoration jobs and benefit ecosystems and local communities across the country.¹
- d) Enable revisions and expansions of mitigation policies for ESA-listed species, including ensuring robust public engagement for future mitigation and conservation policies to enable needed course corrections.

PROTECT BIODIVERSITY FOR ENVIRONMENTAL JUSTICE COMMUNITIES

Decades of development, industrialization, and resource extraction has polluted the environment and denuded the biodiversity of communities. As a result, these communities have been denied the necessary benefits of biodiversity—such as clean air, clean water, and climate change resiliency. In addition, local peoples have had to assume the higher environmental costs of resource degradation, making the need for more sustainable development strategies and technologies more apparent.² Therefore, we urgently recommend that the Administration prioritize ecosystem restoration identified by and benefiting frontline communities.

Any policy decisions, development projects, and planned benefits should be designed and implemented—at the outset and at the highest levels—with deep and meaningful input from and accountability to frontline communities. This includes communities impacted first and worst by environmental degradation and resources extraction, and Black, Indigenous, and communities of color.

REVERSE TRUMP'S GRAY WOLF DECISION

The Trump Administration has issued a series of species decisions that will prevent threatened and endangered species from receiving the protections they require. Undersigned organizations have a number of priority species decisions that they feel should be reviewed and are communicating about those directly with the Administration. However, as a group, we strongly urge the reinstatement of protections for the gray wolf. The recent hunt in Wisconsin, the rules allowing year-round wolf hunting in Idaho, and the multiple bills currently moving through the Montana Legislature are indications that states are currently unwilling to protect wolves from again being driven down to bare minimum population levels.

¹ Nature4Climate, Restoration and Management, <https://nature4climate.org/restoration-and-management/>

² National Center for Biotechnology Information, Conserving Biodiversity: A Research Agenda for

Development Agencies. <https://www.ncbi.nlm.nih.gov/books/NBK234656/>

PROTECT POLLINATORS

We urge the Administration to finish its organophosphates biological opinions, prohibit pesticide use in national wildlife refuges, and prohibit pesticide use in designated critical habitats. We further encourage the Administration to revisit the U.S. Environmental Protection Agency's interim decision to roll back the Obama Administration ban on five neonicotinoid pesticides (already banned by the European Union), enabling these pesticides to remain in the U.S. marketplace. This despite their neurotoxic risks to people and wildlife, including bees and other pollinators. In addition, we urge a ban on the manufacture of neonicotinoid-treated seeds which are used on approximately one hundred and seventy million acres of agricultural land in the United States and are decimating our pollinators.³

INCREASE PLANT AND WILDLIFE CORRIDORS

Biodiversity is declining precipitously across the globe, endangering ecosystems as well as human health, livelihoods, and economies. The primary driver of this alarming trend is habitat fragmentation. The United States alone loses a patch of nature the size of a football field every 30 seconds. We need bold action to halt and reverse these alarming trends. We strongly urge the Administration to implement policies and funding that establish and prioritize plant and wildlife corridors and connectivity. Specifically, we urge the Administration to give executive direction to federal land and water management agencies in the USDA, DOI, DOC, and DOD to identify, designate, and manage for ecological connectivity on federal lands and in federal waters across their jurisdictions. We recommend that wildlife corridors be included as priority landscapes in the protection of 30x30. Furthermore, we request that the Administration support the *Wildlife Corridors Conservation Act and Tribal Wildlife Corridors Act*, as well as the inclusion of plant and wildlife corridors and connectivity in upcoming transportation, infrastructure, stimulus package, and budget bills.

SNAKE RIVER DAMS

The Northwest's iconic and critically endangered Southern Resident Orcas, along with more than 130 other species, rely on salmon for nutrition. The Snake River system once produced much of the salmon in the Columbia River Basin, which was once the largest salmon producer in the lower 48. To unlock this salmon-producing potential once again and to save this Orca population that numbers only 75, four outdated and uneconomical dams on the lower Snake River must be removed. We urge you to direct the Army Corps of Engineers and NMFS to prioritize the removal of these dams. As the [Northwest Tribal Salmon Alliance](#) points out, failure to act is a violation of treaty rights. The [Washington Black Lives Matter Alliance](#) similarly stands with Northwest Tribal Nations call for dam removal.

³ The Progressive Farmer; *Seed Treatment Numbers; New Documents Detail Extensive Use of Neonic Seed Coatings*, <https://www.dtnpf.com/agriculture/web/ag/crops/article/2017/01/16/new-documents-detail-extensive-use-2>

The Endangered Species Coalition and our member groups thank you for consideration of these critically important requests. A number of our member groups may have additional priorities that they are and will communicate directly. With the Biden Administration taking these actions, we will significantly strengthen the Endangered Species Act, protecting the plant and wildlife that depends on it, as well as restoring crucial habitat for plants, animals and people.

Sincerely,

Endangered Species Coalition and the following Member Organizations:

Alameda Creek Alliance
Animal Defenders International
Animals & Society Institute
Augusta Bird Club
Bat Conservation International
Berkshire Environmental Action Team (BEAT)
Born Free USA
Buffalo Field Campaign
Center for Biological Diversity
Cetacean Society International
Christian Council of Delmarva
Coast Range Association
Coastal Plains Institute
Conservancy of Southwest Florida
Coyote Center for Carnivore Ecology and Coexistence
Creature Conserve, Inc.
Delaware Center for the Inland Bays
Earth Action, Inc.
Endangered Habitats League
Endangered Small Animal Conservation Fund.
Environment America
Environment Council of Rhode Island
Environmental Center of San Diego
Environmental Protection Information Center
Friends of Blackwater, Inc.
Friends of Merrymeeting Bay

Friends of Nevada Wilderness
Friends of the Earth
Grand Canyon Wolf Recovery Project
Great Lakes Wildlife Alliance
Great Old Broads for Wilderness
Greater Hells Canyon Council
Greenpeace US
Healthy Gulf
Heartwood
Hoosier Environmental Council
Howling For Wolves
Humane Society International
Humane Society Legislative Fund
Idaho Conservation League
International Fund for Animal Welfare
International Marine Mammal Project of Earth Island Institute
Kalmiopsis Audubon Society
Kentucky Heartwood
Klamath Forest Alliance
Los Angeles Audubon Society
Maine Native Fish Coalition
Mass Audubon
Massachusetts Forest Watch
Mountain Lion Foundation
National Association of Biology Teachers
Native Fish Coalition

Native Fish Coalition - Alabama Chapter
Native Fish Coalition Massachusetts
Native Fish Coalition Vermont Chapter
Native Fish Coalition, CT Chapter
Native Fish Coalition, PA Chapter
Native Plant Conservation Campaign
Native Plant Society of Oregon
Nature Abounds
North American Wolf Foundation
Northern Calif. Council, Fly Fishers International
Northern Jaguar Project
Northwest Center for Alternatives to Pesticides
NY4WHALES
Ocean Alliance
Oceana
Oceanic Preservation Society
Pelican Island Audubon Society
Pennsylvania Federation of Sportsmen & Conservationists
Pennsylvania Wildlife Federation
People & Pollinators Action Network
Performing Animal Welfare Society (PAWS)
Predator Defense
Preserve Shutesbury
Primate Conservation Inc
Project Coyote
R. Mason Fine Arts
Rachel Carson Council
Resource Renewal Institute
RESTORE: The North Woods
Retired
Rocky Mountain Wild
Save Our Sky Blue Waters

Save Our Wild Salmon Coalition
Save the Manatee Club
Save Wolves Now Network
Sea Shepherd Legal
Seattle Audubon
Southwest Environmental Center
Tennessee Citizens for Wilderness Planning
The Clinch Coalition
The Enviro Show
The Human Society of the United States
The Maine Wolf Coalition, Inc.
The Plan B Foundation Inc.
The Rewilding Institute
The Urban Wildlands Group
Turner Endangered Species Fund
Turtle Island Restoration Network
Unitarian Universalist Ministry for Earth
Upper Valley Affinity Group
Vermonters for a Clean Environment
Voices of Wildlife in NH
Web of Life Products LLC
Western Environmental Law Center
Western Nebraska Resources Council
Western Watersheds Project
Western Wildlife Conservancy
Wild Arizona
Wild Nature Institute
Wildlands Network
Wildlife Alliance of Maine
Wildlife Conservation Society
Wolf Conservation Center
Wyoming Untrapped
Zoo New England

CC: Martha Williams, Principal Deputy Director, U.S. Fish and Wildlife Service
Michael Regan, Administrator, Environmental Protection Agency