



# Using the Endangered Species Act to Protect Rare Amphibians and Reptiles

Jenny Loda

Amphibian and Reptile Staff Attorney  
Center for Biological Diversity

# Amphibian and Reptile Extinction Crisis

- In U.S., one in four herps at risk of extinction
- Threats: habitat destruction, disease, nonnative predators, overcollection, toxins, more
- The Center's long standing campaign ramped up in recent years with herp-specific positions



CENTER *for*  
BIOLOGICAL DIVERSITY



OUR CAMPAIGN TO SAVE  
THE NATION'S MOST  
IMPERILED REPTILES  
AND AMPHIBIANS

# Center for Biological Diversity



- Nonprofit, 100 employees, offices across the U.S.
- 900,000 members and online supporters
- Mission: “The Center for Biological Diversity works through science, law and creative media to secure a future for all species, great or small, hovering on the brink of extinction.”
- Edward Humes, *Eco Barons*: “Maybe the most effective environmental organization you’ve never heard of, routinely outperforming the better-known and more moneyed conservation organizations in exposing corruption and official lawbreaking . . . .”

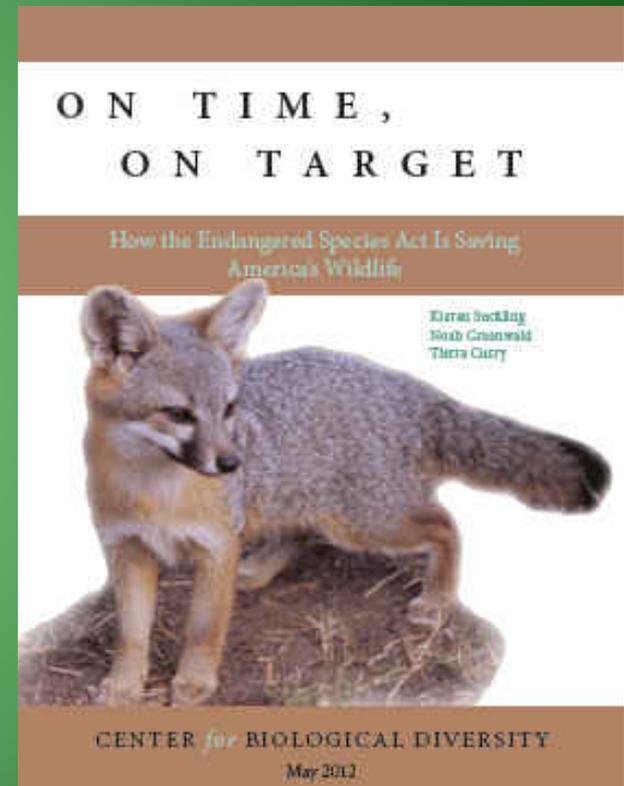
# The Center's Work to Combat the Extinction Crisis



- The Center is the nation's leader in preserving endangered species, having secured Endangered Species Act protection for hundreds of species and hundreds of millions of acres of land and water.
- HOW WE DO IT:
  - Compiling and analyzing data about species status and recovery.
  - Submitting legal petitions, filing lawsuits when necessary, using the leverage of our supporters' voices.
  - Obtaining adequate amounts of critical habitat for species.
  - Watch-dogging Congress and government agencies.
  - Expanding our use of creative media to keep the public informed and engaged.

# Endangered Species Act

- A listed species receives a suite of protections:
  - Prohibition on take
  - Consultation requirement
  - Critical habitat
  - Recovery plan
- Very, very few species have gone extinct once granted protection under the Act.
- The longer a species is listed under the Act, the more likely it is to be recovering.
- Species with critical habitat designated under the Act are *twice* as likely to be recovering as those without critical habitat.
- Species with recovery plans are more likely to be recovering than those without plans.
- The more money is spent on a species, the more likely that species is to be recovering.



# HOW MUCH HABITAT HAS THE CENTER PROTECTED?

To save species you have to save the places where they live. Over the past 25 years, the Center has secured protection for 476 million acres of federally protected critical habitat preserves for endangered animals and plants.

Some animals, like polar bears and sea turtles, require large swaths of protected land and water to survive. Others, including some invertebrates, need just a few acres. Whatever the case, securing federal safeguards for their homes is vital: Species with protected critical habitat are more than twice as likely to be recovering as species without it.



National Park System

84 million acres



National Forest System

188 million acres



Combined area of California,  
Texas and Florida

318 million acres



Protected critical habitat secured by the Center

**476 million acres**

**BiologicalDiversity.org**

# Protecting Herps as Endangered: *Mega Herps Petition*

- ESA allows for submission of citizen petitions (different focus from FWS-initiated species)
- Largest-ever petition focused on 53 amphibians and reptiles:
  - 6 turtles, 7 snakes, 2 toads, 4 frogs, 10 lizards & 24 salamanders
- Rigorous species selection process:
  - G3, NT or worse
  - Scientist input
- Media campaign drew attention to herp extinction crisis
- Support of 200+ scientists

BEFORE THE SECRETARY OF THE INTERIOR

PETITION TO LIST 53 AMPHIBIANS AND REPTILES  
IN THE UNITED STATES AS THREATENED OR ENDANGERED SPECIES UNDER  
THE ENDANGERED SPECIES ACT



CENTER FOR BIOLOGICAL DIVERSITY

JULY 11, 2012

# Protecting Herps as Endangered: *Mega Herps Petition*

- This year FWS released + 90 day findings for 35 of these species
  - Western spadefoot toad
  - Yuman Desert fringe-toed lizard
  - Alligator snapping turtle
  - Wood turtle
  - Foothill yellow-legged frog
  - Shasta salamander



# Protecting Herps as Endangered:

## *Proposed and Final Listings and Critical Habitat Designations Under Landmark Listing Settlement*

- Recent final listings for:
  - Black pine snake
  - Georgetown and Salado salamanders
  - Sierra Nevada yellow-legged frog with 1,105,400 acres; northern DPS of the mountain yellow-legged frog with 221,498 acres; and Yosemite toad with 750,926 acres (proposed CH)
  - Northern Mexican garter snake with 420,000 acres and narrow-headed garter snake with 210,000 acres (2011 status report)
- Various supported these rules with good media, LTEs, op-ed, action alerts, comment letters



# Protecting Herps from Pesticides

- Lawsuits for Consultation under ESA
  - Settlement in June requiring EPA to analyze impacts of atrazine & glyphosate on 1500 species of endangered plants & animals
  - 2014 settlement with FWS to analyze impacts of carbaryl, chlorpyrifos, diazinon, malathion, and methomyl on endangered species nationwide
- Atrazine
  - Sign-on letter asking for ban with 250 other groups
  - Action alert sends 38,000 comments



# Addressing a New Threat: *Batrachochytrium salamandrivorans*

- 2013 die-offs of fire salamanders in Europe linked to new form of chytrid fungus – Bsal
- 2014 study found US salamanders susceptible
- May - filed a petition for a moratorium on salamander imports





Questions?