

July 8, 2024

The Honorable Tom Cole
Chair
Committee on Appropriations
U.S. House of Representatives
The Capitol H-307
Washington, DC 20515

The Honorable Rosa DeLauro
Ranking Member
Committee on Appropriations
U.S. House of Representatives
1036 Longworth House Office Building
Washington, DC 20515

Re: Oppose Harmful Endangered Species Act Riders in the FY2025 Interior, Environment and Related Agencies Appropriations Legislation

Dear Chair Cole, Ranking Member DeLauro,

On behalf of our organizations and our millions of members and supporters, we write to express our strong opposition to the FY25 Interior Appropriations bill, which, in addition to slashing funding for the U.S. Fish and Wildlife Service, contains a total of at least 15 anti-wildlife poison pill riders—the largest number of policy riders that has ever been included in the base bill in the 50-year history of the Endangered Species Act. These riders would cause irreparable harm by undoing decades of progress to stabilize and recover some of our most iconic species. They are also completely out of step with the American public, which overwhelmingly supports the Act and the protections it provides. Thus, we urge you to oppose these harmful anti-wildlife riders, detailed below. We also urge you to oppose any additional anti-wildlife amendments during full committee markup.

Sec. 116 - Blocks Protections for the Sage-Grouse. This rider would block the Service from considering whether to protect the Greater sage-grouse, or any distinct population of Greater sage-grouse, as endangered or threatened under the Endangered Species Act. The sage grouse population has declined 40% rangewide over the last two decades and continues on a downward trend. Endangered Species Act protections are desperately needed to save this bird from extinction.

Sec. 117 – Blocks Multistate Sagebrush Habitat Protection Plan. This rider would block the Bureau of Land Management from finalizing its revised management plan for nearly 70 million acres of sagebrush habitat across 10 states. Protecting this ecosystem not only benefits the greater sage grouse, but also hundreds of other species that depend on the Sagebrush Sea ecosystem including pygmy rabbits, pronghorns, elk, mule deer, golden eagles, native trout, and migratory and resident birds.

Sec. 125 – Prevents Agencies from Regulating Lead Ammunition and Tackle. This rider would block federal agencies from regulating the use of poisonous lead ammunition or fishing gear, which can harm endangered species like whooping cranes that ingest lead when feeding in fields and waterways. A 2022 study found that half of bald and golden eagles are suffering from chronic, toxic levels of lead due to lead ammunition.

Sec. 127 – Blocks Protections for the Lesser Prairie-Chicken. The lesser prairie-chicken is a highly imperiled ground-nesting bird that has declined to roughly 27,000 individuals — including at least a decline of 20% since 2021 — and its current population may now be well below even that number. It is found in less than 10% of its former habitats. After nearly three decades of waiting for protection, the Service issued a final rule in November 2022 protecting the lesser prairie-chicken under the Endangered Species Act. This rider would block funding to implement or enforce the rule.

Sec. 128 – Blocks Increased Protections for Northern Long-Eared Bats. Northern long-eared bats have declined 99% across most of their range in a span of just two decades. White-nose syndrome, caused by an exotic fungus originating in Europe, has devastated this species. However, human activities are now exacerbating the bats’ catastrophic decline. The Fish and Wildlife Service listed the bat as endangered in November 2022 after finding that its previous “threatened” status was not sufficiently protective to keep the bat from slipping further toward extinction. Nonetheless this rider would block funding to implement the listing rule.

Sec. 129 – Blocks Protections for the Dunes Sagebrush Lizard. After 40 years of delay, the Fish and Wildlife Service issued a final rule in June 2024 protecting the dunes sagebrush lizard under the Endangered Species Act. These 2.5-inch-long lizards have the second smallest range of any lizard in North America, and more than 95% of its shinnery oak dunes ecosystem has been destroyed by oil and gas and other development, as well as herbicide spraying to support livestock grazing. This rider would block funding to implement or enforce the rule.

Sec. 130 – Delists the Gray Wolf Nationwide. This legislation would remove federal protections for all gray wolves in the lower-48 states, except for a small population of Mexican gray wolves in Arizona and New Mexico. Gray wolf populations in the United States were decimated by decades of predator control programs, as well as loss of habitat and prey. Since receiving protection under the Endangered Species Act, the gray wolf has begun a comeback but remains far from recovered.

Sec. 131 – Blocks Protections for Wolverines. After waiting nearly 30 years for protection, the Fish and Wildlife Service issued a final rule in November 2023 protecting wolverines as threatened under the Endangered Species Act. This rare wilderness species is threatened with massive habitat loss due to climate change. No more than 300 wolverines remain in the lower 48 states. This rider would block funding to implement or enforce the final rule.

Sec. 132 – North Cascades Grizzly Bear Ecosystem Reintroduction Plan. This rider would block funding for the National Park Service and the Fish and Wildlife Service to implement the North Cascades Grizzly Bear Ecosystem Restoration Plan, which aims to restore grizzly bears to the North Cascades. The plan involves transporting grizzly bears into the region from other areas with more robust grizzly populations, an essential step to recovering grizzly bears in the North Cascades.

Sec. 133 – Bitterroot Ecosystem Grizzly Bear Reintroduction. This rider would block funding for the Fish and Wildlife Service to restore grizzly bears to the Bitterroot Ecosystem of Montana and Idaho. Although historical records reveal that grizzlies once occurred throughout this area, it has at most only a few bears now. The Bitterroot Ecosystem encompasses one of the largest contiguous blocks of Federal land remaining in the lower 48 states, and is ideal for grizzly bear recovery.

Sec. 134 – Exemption for Captive Fish Under the Endangered Species Act. This vague rider, which appears to benefit less than five commercial caviar sellers in Florida, would exempt all captive fish from the requirements of the Endangered Species Act, regardless of the impacts on conservation efforts for salmon, steelhead and domestic sturgeon species, all of which are held in captive breeding programs or hatcheries to further their recovery. Furthermore, exempting the small handful of commercial caviar producers from the decades-old requirements of the Act would undermine conservation efforts around the world, and likely result in more illegal caviar trade benefitting hostile nations including Russia.

Sec. 136 – Blocks Revisions to Harmful Endangered Species Act Regulations. This rider undermines the Endangered Species Act and the federal agency rulemaking process by blocking the Fish and Wildlife Service from implementing or enforcing its 2024 final regulations that reversed or revised the

previous administration's rules gutting Section 4 (listing and critical habitat) and Section 7 (interagency consultations) of the Endangered Species Act.

Sec. 140 – Consultation Exemptions for Land Management Plans. This rider would codify climate denialism into law by exempting the U.S. Forest Service and Bureau of Land Management from updating their land management plans when a species becomes listed, new critical habitat is designated, or new information—which often includes new data on the severe impacts of climate change on species—demonstrates that endangered species are being harmed or killed on our nation's public lands.

Sec. 141 – Blocks the National Wildlife Refuge System's Biodiversity Rule. This rider would block the Fish and Wildlife Service from finalizing a rule protecting the Biological Integrity, Diversity, and Environmental Health (BIDEH) of nearly 600 National Wildlife Refuges in the United States. Over 500 threatened or endangered species—or almost one-third of all species listed under the Endangered Species Act—live or depend on refuges. The proposed BIDEH rule is urgently needed to address the unprecedented challenges threatening the long-term ecological viability of the Refuge System, including climate change, agricultural production, habitat loss, and the proliferation of invasive species.

Sec. 149 – Blocks Protections for Critically Endangered Whales. This rider would block federal agencies from even attempting to minimize the harmful impacts of offshore oil and gas activities on North Pacific right whales, North Atlantic right whales, and Gulf of Mexico Rice's whales. These whales are three of the most critically endangered whales in the world. Nonetheless, this rider would block any protections designed to reduce or eliminate disturbance from oil and gas leasing, exploration, development or production.

As we face an accelerating and unprecedented wildlife extinction crisis, now more than ever we need Congress to uphold our environmental laws and protect our nation's most vulnerable animals and plants. For these reasons, we urge you to oppose this bill and any additional anti-wildlife amendments during full committee markup.

Sincerely,

Center for Biological Diversity
Alameda Creek Alliance
Alaska Wilderness League Action
American Bird Conservancy
Animal Legal Defense Fund
Animal Wellness Action
Animal Wellness Foundation
Christian Council of Delmarva
Defenders of Wildlife
Earthjustice
Endangered Habitats League
Endangered Species Coalition
Environmental Protection Information Center- EPIC
Friends of Merrymeeting Bay
Friends of the Earth Action
Great Old Broads for Wilderness
Heartwood

Howling For Wolves
Humane Action Pennsylvania
Humane Action Pittsburgh
International Fund for Animal Welfare (IFAW)
International Marine Mammal Project of Earth Island Institute
Klamath Forest Alliance
League of Conservation Voters
Los Angeles Audubon Society
Los Padres ForestWatch
National Wolfwatcher Coalition
Natural Resources Defense Council
New Hampshire Audubon
North Central Washington Audubon Society
Northwood Alliance, Inc
Ocean Defense Initiative
Oceana
Peace 4 Animals
Predator Defense
Project Coyote
Public Citizen
Resource Renewal Institute
Rocky Mountain Wild
Save Our Sky Blue Waters
Save the Manatee Club
Sierra Club
Silvix Resources
The #RelistWolves Campaign
The Center for a Humane Economy
The Cougar Fund
The Urban Wildlands Group
Wolf Conservation Center
Wyoming Wildlife Advocates