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Environmentalists sue to protect swallowtail butterflies

By AVIVA L. BRANDT

PORTLAND, Ore. - Tropical swallowtail butterflies are coveted by collectors for their showy, colorful wings, often drawing a price of more than \$3,000 for a pair.

But the Portland-based Xerces Society and the Tucson, Ariz.-based Center for Biological Diversity want the seven rarest species protected by the Endangered Species Act.

They recently filed a lawsuit in U.S. District Court in Portland to force the government to include them on the list.

"They're spectacular butterflies," said Scott Hoffman Black, executive director of the Xerces Society. "But they're being wiped out. It's the one-two-three punch. These are highly collectible butterflies, but their habitat is also being destroyed from different impacts."

The U.S. Fish and Wildlife Service determined in a 90-day review in 1994 that the swallowtails, which are found in Mexico, Brazil, Jamaica and Asia, deserved protection under the Endangered Species Act, the lawsuit said.

The agency then had one year to either add the butterflies to the list or determine that they were not endangered, Black said.

"It's been 10 years. We thought it's been time to push the envelope, and we found no other way under this administration - it's either a lawsuit or they don't do anything," Black said.

Even though the butterflies don't live in the United States, listing them under the Endangered Species Act offers certain benefits. The biggest impact is that it is illegal to import endangered species, which means collectors wouldn't be able to buy them legally.

In addition, if projects in those countries are funded by U.S. agencies or institutions such as the World Bank, they will have to address these butterflies in any developmental plan, Black said.

Jenny Valdivia, a Portland-based spokeswoman for the fish and wildlife agency, said she couldn't comment on a pending lawsuit. But, she said, delays like this one happen more often than the agency would like.

"We often don't have funds to work on everything at once. We have to prioritize species in most need of protecting," she said. Peter Galvin, conservation director for the Center for Biological Diversity in Oakland, Calif., said that was an excuse.

"They don't even ask Congress for anywhere near the funds needed to respond to the extinction crisis. It's self-fulfilling - they say they don't have enough money but they don't ask for enough money," Galvin said.

He believes the court will side with the environmentalists in the lawsuit, which was filed in May.

"We're very confident that our legal case is iron clad and Fish and Wildlife Service has failed to act in the mandated timelines of the law and the court will rule that the agency has to proceed in processing these petitions," Galvin said.

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