

October 23, 2007

The Honorable Governor Charlie Crist
PL-05 The Capitol
Tallahassee, FL 32399-0001

Dear Governor Crist;

Thank you for delaying the downlisting of the Florida manatee. Your timely letter to Chairman Barreto of the Florida Fish and Wildlife Conservation Commission (FWC) was both warranted and deeply appreciated.

The undersigned organizations representing well over 21 million concerned members and supporters, of whom more than 2 million live in Florida, strongly urge you to maintain your request to defer action by the FWC regarding the premature downlisting of the Florida manatee.

Despite nearly unanimous objections from the conservation and animal protection communities including a number of credentialed scientists, the FWC continues to press forward with downlisting the manatee using a flawed listing rule that will undermine protections for many of Florida's imperiled species. The primary flaw in the rule results from the misalignment of threat criteria developed by the World Conservation Union (IUCN), a world authority on endangered species, with Florida's threat categories and definitions.

In 1999, the FWC modified its classification system to incorporate the IUCN threat ranking system, except in doing so, our state mismatched IUCN's criteria (for Critically Endangered, Endangered and Vulnerable species) with Florida's categories (of Endangered, Threatened and Species of Special Concern). These threat category names carry with them numerous legal and inferred protections. After numerous complaints urging the FWC to modify the rule, some improvements were made in 2005, however, the agency failed to correct the most egregious flaw. The FWC continued to misalign the IUCN's threat criteria with Florida's category names and definitions. Therefore, the IUCN's "Critically Endangered" criteria are being applied to the FWC's "Endangered" category, IUCN's "Endangered" criteria are applied to FWC's "Threatened" category and IUCN's criteria for "Vulnerable" are applied to FWC's "Species of Special Concern" category. This misalignment was made glaringly obvious on September 12, 2007, when IUCN released its 2007 IUCN Red List of Threatened Species, which reclassified the Florida manatee as "Endangered" using the exact criteria the FWC has adopted for "Threatened."

This misalignment raised the bar for all degrees of imperilment, not just the most endangered, so that some species deserving of protection will not even qualify under this new system. The IUCN defines a "Vulnerable" species as having a "high risk of extinction." Florida aligned IUCN Vulnerable with Species of Special Concern, a category that predicts a "moderate risk of extinction." If species at "moderate risk" must meet "high risk" standards to qualify for this lowest level of protection, the State stands to lose a great deal. Species losing 29% of their population over the next ten years or three generations may not qualify for listing at all.

Governor Crist, we urge you to continue to delay the downlisting of the Florida manatee and to advise the FWC that the listing criteria and categories be properly aligned with the IUCN system. We remain committed to continuing to work with you, the Commission, and all interested parties to rectify this unfortunate but salvageable situation. While we maintain that, at a minimum, straight alignment of the IUCN process should be achieved, we are willing to work on other potential solutions that would adequately protect all of Florida's imperiled species. We cannot

accept, however, having the manatee or any other species downlisted prematurely and inappropriately under this flawed listing rule. Florida's amazing array of wildlife distinguishes our state from any other place. Our wild species deserve to be classified at a level commensurate with their actual conservation status and adequately protected now and into the future.

We request an opportunity for a small representative delegation of our organizations to meet with you and your staff at the earliest possible time. Thank you again for your strong support for Florida's endangered manatees and for all imperiled species in Florida.

Sincerely,

Christopher Heyde, Deputy Legislative Director, Animal Welfare Institute
Ray Ashton, President, Ashton Biodiversity Research & Preservation Institute, Inc.
Eric Draper, Deputy Director, Audubon of Florida
David Godfrey, Executive Director, Caribbean Conservation Corporation
Kathleen Aterno, Managing and Florida Director, Clean Water Fund
Roy R. "Robin" Lewis III, President, Coastal Resources Group
Busy Kislig-Shires Byerly, Executive Director, Conservation Trust for Florida, Inc.
Laurie Macdonald, Florida Director, Defenders of Wildlife
David Guest, Managing Attorney, Florida Office, Earthjustice
Mark Ferrulo, Director, Environment Florida
Michael Bean, Chair, Wildlife Program, Environmental Defense
Mary Barley, President, Everglades Foundation
Richard Grosso, Executive Director, Everglades Law Center
Thom Rumberger, Chairman, Everglades Trust
Manley Fuller, President, Florida Wildlife Federation
Joe Murphy, Florida Program Coordinator, Gulf Restoration Network
Laura Bevan, Director, Southeast Regional Office, Humane Society of the United States
Dr. Snell Putney, President, Key Deer Protection Alliance, Inc.
Karen Steuer, Vice President, Government Affairs, National Environmental Trust
Laura Hartt, Environmental Policy Specialist, National Wildlife Federation
Jeff Danter, Florida Chapter Director, The Nature Conservancy
Jessica Koelsch, Atlantic and Gulf of Mexico Marine Wildlife Manager, The Ocean Conservancy
J. Kevin Hertell, Florida Representative, The Pegasus Foundation
Pat Rose, Executive Director, Save the Manatee Club
Linda C. Duever, Vice President, Save Our Big Scrub
Helen Spivey, Manatee Issue Chair, Florida Chapter, Sierra Club
Frank Jackalone, Senior Regional Representative, Sierra Club
Brett Paben, Staff Attorney, Florida Office, WildLaw
Debra Harrison, Director, South Florida Program, World Wildlife Fund

cc: Ken Haddad, FWC Executive Director

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