

United States Senate  
WASHINGTON, DC 20510

February 27, 2008

Secretary Dirk Kempthorne  
Department of the Interior  
1849 C Street, N.W.  
Washington, DC 20240

Dear Secretary Kempthorne,

The Rufa Red Knot (*Calidris canutus rufa*) faces extinction if we fail to act. The science behind this claim is compelling, increasingly disturbing, and borne out in U.S. Fish and Wildlife Service (FWS) reports. The 2001 National Shorebird Conservation Plan recognized the Red Knot as “highly imperiled,” and their plight has since gotten worse. I urge you to immediately list the Red Knot for protection under the Endangered Species Act of 1973 (ESA).

In 2006, the FWS designated the Red Knot as a “candidate species” for protection under the ESA. Candidate status means that the FWS found sufficient evidence to warrant listing the Red Knot, but that immediate listing is precluded by “other higher priority listing activities.” Being on the candidate list confers no statutory protection.

Although the ESA requires that the FWS make “expeditious progress” toward listing candidate species, over the past few years, very species have been moved from the “candidate list” to either the threatened or endangered list. Despite the growing number of candidates, now totaling 280, the proposed FY’09 DOI budget requested an 11% decrease for candidate conservation. I am concerned that protecting endangered species is not a priority in your department.

In May of 2007, a FWS report prepared by the New Jersey Department of Environmental Protection confirmed that the Red Knot’s unprecedented collapse has continued since its candidate listing.

Each spring, the Red Knot migrates over 9,000 miles from Tierra del Fuego to the Canadian Arctic, making its last stop on the Delaware Bay shores, where it feeds on horseshoe crab eggs. In the mid 1990’s, the horseshoe crab became popular as fishing bait, and its population dropped by an estimated 75%. Without eggs to feed on, the number of Red Knots stopping at Delaware Bay has dropped from almost 95,000 in 1989 to fewer than 15,000 in 2007. Scientific models predict that the Red Knot may become extinct as early as 2010.

Although action has been taken to help the horseshoe crab recover, the most recent FWS report states that “the latest information is that the crab population may have stabilized, but there is no evidence of recovery.” This slow progress has now been reversed. Last summer Superior Court Judge Richard Stokes overturned a two year moratorium on horseshoe crab fishing in Delaware.

And on February 11, 2008, the Marine Fisheries Council in New Jersey rejected extending a similar moratorium.

Listing the Red Knot as threatened or endangered will lead to a true recovery plan, instead of the piecemeal we have now. The Red Knot's problems span several states, and saving it requires integrated fisheries management and habitat protection.

I urge you to quickly place the Rufa Red Knot on the endangered species list.

Sincerely,



ROBERT MENENDEZ

United States Senator



BENJAMIN L. CARDIN

United States Senator



FRANK R. LAUTENBERG

United States Senator