

INFORMATION QUALITY ACT PETITION
Challenging the Service's use and
interpretation of available information for the
Sand Mountain Blue Butterfly
(*Euphilotes pallescens arenamontana*)
as a Threatened or Endangered Species

June 21, 2004
Ms. Gale Norton
Secretary of the Interior
18th and C Street NW
Washington DC 20240

Dear Ms. Norton:

On April 23, 2004, the Center for Biological Diversity, Xerces Society, Public Employees for Environmental Responsibility and the Nevada Outdoor Recreation Association formally petitioned to list the Sand Mountain blue butterfly (*Euphilotes pallescens arenamontana*) as a threatened or endangered species and concurrent listing of Kearney buckwheat as its critical habitat.

I support efforts to protect endangered species. However, I also expect the federal government to have factual and accurate data regarding the species, its habitat, influencing factors, and the current status.

While the BLM had taken note of the Sand Mountain Blue Butterfly status over the years, just one year ago the BLM (NV IB 2003-097) did not list the butterfly as endangered, undergoing downward trends in habitat or population, or as having too small a population. It was only listed as "Inhabits ecological refugia, or specialized or unique habitats." <http://www.blm.gov/nv/cfma/nv/ib/2003/ib03-097a.pdf>

There is no evidence, strong or otherwise, in the petition of a decline in butterfly populations. Habitat loss evidence is exaggerated and riddled with inapplicable and misapplied science. Photographic evidence is skewed. Status cannot be determined from data. Reliable evidence is either not sufficient to perform the required analyses of impacts for designation, or it does not exist.

Therefore critical habitat is not determinable per regulation (50 CFR 424.12(a)).

The petition does not meet the Information Quality Guidelines (44 U.S.C. 3502, 67 FR 8452; February 22, 2002), and the Sand Mountain blue butterfly should not be listed based on contents of the petition.

Yours truly,

Copies to: FWS, BLM Carson City/Reno, Representatives Gibbons and Pombo
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