

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NATURAL RESOURCES DEFENSE COUNCIL,
INC.; CENTER FOR BIOLOGICAL DIVERSITY;
FRIENDS OF MINNESOTA SCIENTIFIC AND
NATURAL AREAS,

Plaintiffs,

v.

UNITED STATES FISH AND WILDLIFE
SERVICE, MARTHA WILLIAMS, in her official
capacity as Principal Deputy Director of the
U.S. Fish and Wildlife Service; UNITED STATES
DEPARTMENT OF THE INTERIOR,

Federal Defendants.

Civ. No. 1:21-cv-00770-ABJ

DECLARATION OF ANDREW WEDEL

I, ANDREW WEDEL, declare that if called as a witness in this action I would competently testify of my own personal knowledge as follows:

1. I submit this declaration in support of the Center for Biological Diversity's challenge to the U.S. Fish and Wildlife Service's refusal to designate critical habitat for the endangered rusty patched bumble bee.
2. I have been a member of the Center since August 2011.
3. I have strong aesthetic, recreational, and economic interests in the rusty patched bumble bee. My family has 600 acres (240 hectares) of land in the driftless region of southwestern Wisconsin. This property came into our family 50 years ago and since then we have been lovingly tending to its ecosystem, watching the remnant prairies and wetlands regain their health, and seeing the old farm fields slowly bloom into richly restored prairies. This ecosystem has become a deep and integral part of our family heritage. The sound of the

endangered Henslow's sparrow ringing over the prairies, the splash of the rare pickerel frog, and the joy in finding another patch of the state-listed palegreen orchid, are all part of our deep spiritual connection to this land. Finding the rusty patched bumble bee on our land—as experts believe we will—will only deepen this connection. My family and I have been blessed with the opportunity to steward this land over the course of our lives and losing the chance of stronger protections that would help preserve this land in perpetuity would be a deep blow. As the Native American burial mounds here testify, this land has been sacred to people long before us, and we hope it will be sacred to others long after us.

4. Professional entomologists hired by the State of Wisconsin came last year to look for evidence of *B. affinis* but did not find any. However, they said that the property almost surely hosts *B. affinis* and the property provides appropriate habitat. We will continue to monitor for this species, and I personally plan on looking for the bee when I return to the property in the coming summer. Seeing the bee in its native habitat on our property would be fantastic, and affirm our ongoing work to preserve and protect the property.

5. I personally travel to the property roughly six times a year and plan to continue to do so in the future. I often travel there to join members of my extended family and a large number of volunteers from the area to carry out restoration work on this property. For example, I traveled there in April 2021 to carry out prescribed burns, in June to carry out invasive shrub removal and document native plant species, and in September and October to collect seeds for use in further habitat restoration. I visited in mid-November again to plant our collected seeds as part of restoration of habitat.

6. The aesthetic, recreational, and economic value of this land inheres in its complex, diverse ecological system. Loss of the habitat for the bee would reduce the value of this

property significantly, since its primary economic value resides in the value it holds for the many people who enjoy this vibrant ecosystem.

7. The aesthetic, recreational, and economic value of this land flows from the joy people take from its complex, diverse ecological system. Currently land in our valley sells for vastly more than it would as agricultural land, precisely because so many people highly value pristine, diverse, and functional native ecosystems. This kind of land is becoming rapidly rarer through industrial agricultural practices and development, which only means that this land will increase in value with time as it becomes a scarcer commodity. As an example of its current value, this land is within range of Madison, Milwaukee, and Chicago, and birdwatchers from these cities already pay very handsomely to spend a weekend here to see the many rare bird species which make this land their home. As such, governmental policies that protect species like the rusty patched bumble bee also support the continued and increasing economic value of this land.

8. Our land is also highly valuable to surrounding agricultural fields because our property is ringed by land subject to increasingly industrial farm practices, which are known to severely reduce insect populations and species diversity. However, these agricultural lands lie adjacent to our land with its highly diverse, healthy pollinator population. The pollination services provided from adjacency to our ‘safe-haven’ property positively impact the productivity and value of these agricultural lands. This kind of service will only become more valuable in the future.

9. I, and the many other people who come to work on and enjoy this land through birdwatching, painting, hiking, running, camping, and photography, understand that *B. affinis*, as

well as all of the other endemic insect species, are each critical to maintaining the whole of the prairie and wetland ecosystem.

10. The loss of the rusty patched bumble bee would harm me personally because, from a moral standpoint, species and associated ecosystem preservation is one of the great moral issues of our time. If diligent care for the health of our planet and all its associated life is not a moral issue, it's hard to know what would be.

11. I am harmed by the U.S. Fish and Wildlife Service's failure to designate critical habitat for the rusty patched bumble bee because it reduces the bee's chances of survival and recovery. The bee has already lost much of its natural habitat and is too often exposed to pesticides and other threats. Plots like my family's, where the bee is safe from the effects of pesticides, are too few and far between.

12. Designation of critical habitat would further my interests in the bee and its conservation by requiring, among other things, that federal agencies consult with the U.S. Fish and Wildlife Service when they take actions that may degrade bee habitat. This consultation could result in mitigation measures for these projects, such as commitments to restrict pesticide use or restore degraded bee habitats.

13. In summary, I have aesthetic, recreational, and economic interests in the preservation of rusty patched bumble bees and their habitats. These interests are being harmed by the U.S. Fish and Wildlife Service's failure to designate critical habitat. Specifically, if the Service would follow the law and designate critical habitat then the bee would be less likely to suffer further population declines and may even someday recover. If the bee suffers further declines or becomes extinct, this loss would deprive me of the benefits I currently enjoy from its existence. Designation of critical habitat and consultations with the U.S. Fish and Wildlife

Service would result in protective measures, such as reducing impacts of pesticides on this species, which is important to ensure that my interests in the species are preserved and remain free from injury.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1 day of December, 2021, in Tucson, AZ,

A handwritten signature in black ink that reads "Andrew B. Wedel". The signature is written in a cursive style with a large, stylized initial "A".

Andrew Wedel