

BEFORE THE UNITED STATES DEPARTMENT OF INTERIOR AND
THE UNITED STATES FISH AND WILDLIFE SERVICE

In the Matter of the Petition to Delist the
Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) from
the Endangered Species Act

**PETITION OF DR. ROB ROY RAMEY II, CENTER FOR
ENVIRONMENTAL SCIENCE, ACCURACY & RELIABILITY,
WYOMING STOCK GROWERS ASSOCIATION, COLORADO
CATTLEMEN'S ASSOCIATION, COLORADO ASSOCIATION OF
HOME BUILDERS, AND HOUSING & BUILDING ASSOCIATION OF
COLORADO SPRINGS TO DELIST THE PREBLE'S MEADOW
JUMPING MOUSE UNDER THE ENDANGERED SPECIES ACT**

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INTRODUCTION

Pursuant to 16 U.S.C. § 1533(b)(3) and 50 C.F.R. § 424.14(a), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs, hereby petition the Secretary of the Department of Interior and the United States Fish and Wildlife Service (collectively "the Service") to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) (hereinafter "Preble's mouse" or "mouse") from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531–1544.¹ Delisting is warranted because the best available scientific data show that the mouse's subspecies designation is based on unsound taxonomy. Published, peer-reviewed analysis of the available data demonstrate that the populations within the putative Preble's mouse subspecies actually belong to one of the largest and most widespread genetic lineages of North American jumping mice. Therefore, no basis exists to

¹ Pursuant to 50 C.F.R. § 424.14(b), Petitioners provided notice of their intent to petition to delist the mouse to the Colorado Parks and Wildlife Commission, the Colorado Parks and Wildlife Director, the Wyoming Game and Fish Commission, and the Director of the Wyoming Game and Fish Department 30 days prior to the submission of this delisting petition. See Attachment 2.

continue to apply the Act's protections to the Preble's mouse as a separate subspecies.

PETITIONERS

Dr. Rob Roy Ramey II

Dr. Rob Roy Ramey II is a longtime advocate for sound and unbiased scientific research. He earned his Bachelor's degree in Biology and Natural History from the University of California at Santa Cruz, his Master's degree in Wildlife Ecology from Yale University, and his Ph.D. in Ecology and Evolutionary Biology from Cornell University. At UC Santa Cruz, his honors thesis research documented the first reintroduction of bighorn sheep into its historic range in the Sierra Nevada. At Yale, he began his studies in evolutionary biology and conservation genetics, conducted field and laboratory research to investigate lead contamination in California condors, and took a leave of absence to bring condor eggs in from the wild for captive incubation. At Cornell, his dissertation research focused on the evolutionary genetics, systematics, and population structure of North American mountain sheep. While at Cornell, he took time away to research the role of genetics in elephant social organization in Zimbabwe, as well as the effects of forest fragmentation on rainforest birds in Costa Rica.

Dr. Ramey's postdoctoral work included research at the University of Colorado, Boulder, where, as a United States Department of Agriculture postdoctoral fellow, he produced research that answered a longstanding question on the host specificity of psoroptic scabies mites, which harm bighorn sheep and many other wild and domestic animal species. Later, at the Center for Reproduction of Endangered Species at the San Diego Zoo, and then at the University of California's White Mountain Research Station, he pioneered the development of non-invasive genetic sampling for mountain sheep.

Dr. Ramey went on to become the Curator of Vertebrate Zoology at the Denver Museum of Nature & Science where, in addition to curatorial work, he pioneered the live-capture of wild argali sheep in Mongolia using horsemen and drive-nets. He also conducted research on the genetics of endangered wild sheep, as well as the genetic and morphological uniqueness of jumping mouse subspecies (including the so-called Preble's meadow jumping mouse). Additionally, he began long-term research projects on bighorn sheep demography in Mexico, and elephant genetics and social organization in Namibia, and began serving as a member of the Caprinae Specialist Group of the International Union for the Conservation of Nature.

Dr. Ramey subsequently was retained as a consulting Science Advisor to the Office of the Assistant Secretary of Fish and Wildlife and Parks at the

Department of Interior. In 2007, he founded Wildlife Science International, Inc., and began research and consulting full-time on scientific issues involving the Endangered Species Act. In 2009, he also began serving as Science Advisor for the Center for Environmental Science, Accuracy & Reliability. Dr. Ramey has an active research program, publishes the results of his research in peer-reviewed journals, and has testified three times before Congressional committees on the need for specific changes in implementation of the Endangered Species Act, including greater transparency and public access to the data that decisions are based upon.

In summary, Dr. Ramey has a deep commitment to the conservation of threatened and endangered species, as well as the effective prioritization of conservation efforts for their recovery. He believes that these goals will be served by the delisting of the Preble's mouse.

Center for Environmental Science, Accuracy & Reliability

The Center for Environmental Science, Accuracy & Reliability (CESAR) is a California 501(c)(3) nonprofit corporation committed to identifying fact-based science to assist in the conservation of species, to ensure the fair and even application of environmental laws, and to provide information on environmental conservation to the public, policy makers, and agency staff. CESAR has a longstanding concern over the misuse of taxonomic data to justify

the listing of populations under the Endangered Species Act. This concern is demonstrated by the many delisting petitions that CESAR has submitted to challenge the Service's faulty taxonomic decision-making, including the coastal California gnatcatcher and the Southwestern willow flycatcher.

Wyoming Stock Growers Association

The Wyoming Stock Growers Association (WSGA) is a Wyoming non-profit corporation that represents approximately 1,000 members engaged in ranching across the state. Founded in 1872, WSGA seeks to protect, promote, and assert the business, economic, social, and educational interests of its members, including sheep producers and beef cattle producers. It represents these interests by regularly engaging in legislative, administrative, and legal advocacy, including advocacy regarding the sustainable management of public and private lands. It promotes the role of the Wyoming livestock industry in resource stewardship by informing and educating the public. WSGA has a longstanding interest in endangered species issues, including controversies concerning the Preble's mouse and the impacts its regulatory protections have on the livestock industry.

Colorado Cattlemen's Association

The Colorado Cattlemen's Association (CCA) is a non-profit organization working collectively to advance the viability of beef production, while

enhancing the role of beef in a healthy lifestyle. CCA also works as a voice for the beef production industry, as well as for related industry members and landowners. Beef producers join CCA voluntarily and manage it cooperatively to accomplish goals that no producer could accomplish alone. Although there are numerous scientific and sociological reasons why CCA is interested in seeing the Preble's mouse removed from the endangered species list, the one that is foremost in importance to CCA's members and the organization is the economic factor. The cost of keeping the mouse listed, when the listing is unwarranted, harms landowners, including CCA's members, by imposing costly conservation and management measures, among other regulatory burdens. Peer-reviewed science establishes that the mouse is genetically the same as other jumping mice, and does not qualify as a subspecies. For that reason, its continued listing is improper.

Colorado Association of Home Builders

Founded in 1974, the Colorado Association of Home Builders (CAHB) is the unified voice of the Colorado home building industry. CAHB is an affiliate of the National Association of Home Builders and has ten local home builder associations across Colorado. With a statewide membership of nearly 2,000, representing 40,000 jobs, and adding \$11.5 billion annually to the Colorado economy, CAHB plays a crucial role in providing housing for Coloradans.

CAHB's mission is to provide attainable, quality housing for all Coloradans. CAHB achieves its mission by: advocating for positive legislative solutions and by opposing measures that impair the ability to deliver housing and that unreasonably regulate the industry; empowering its members with learning opportunities at the local, state, and national levels; and supporting the goals and activities of each of the ten local associations. CAHB represents builders and developers whose property has been negatively affected by the listing of the Preble's mouse. The cost of complying with the mouse's threatened species regulations, along with the ensuing delays in the submittal and approval processes, the set-asides of otherwise usable land, cost overruns on infrastructure, and other measures requested by the Fish and Wildlife Service, have reduced the affordability of housing in Colorado. Therefore, the mouse's delisting would further CAHB's mission to protect and enhance the state's homebuilding industry.

Housing & Building Association of Colorado Springs

The Housing & Building Association of Colorado Springs (CSHBA) is a member trade association made up of more than 500 companies that include builders, developers, and remodelers, as well as trade contractors, materials suppliers, mortgage lenders, realtors, title companies, interior designers, architects, landscapers, among others. CSHBA works to promote policies that

allow these businesses and many others to contribute to the production of safe and affordable housing to, and the economic growth of, El Paso County, Colorado. CSHBA is interested in the Preble's mouse listing status and the potential to delist the mouse because a delisting would help developers and builders regain full use of the developable portion of their land and avoid further unneeded delays and cost caused by the regulations for a listed species.

BACKGROUND

A. Biological and Taxonomic Description of the Mouse

The Preble's mouse is a small rodent found along the Front Range of the Rocky Mountains in eastern Colorado and southeastern Wyoming. 63 Fed. Reg. 26,517, 26,517 (May 13, 1998). It is "greyish to yellowish-brown in color," has "large hindlegs and hindfeet," and "is adapted for digging." *Id.* at 26,517-18. Nocturnal or crepuscular in nature, the mouse "lives primarily in heavily vegetated riparian habits" and "hibernates approximately 7 months of the year in an underground burrow." *Id.* The mouse is considered a subspecies of *Zapus hudsonius* (the meadow jumping mouse); its designation as a subspecies was originally based upon "geographic separation and morphological differences from other subspecies." 78 Fed. Reg. 31,680, 31,682 (May 24, 2013) (citing Krutzsch (1954, pp. 452-53)). A genetic analysis examining 433 base-pairs of mitochondrial DNA across five subspecies of meadow jumping mouse

concluded “that the [Preble’s mouse] formed a homogenous group recognizably distinct from other nearby populations of meadow jumping mice.” *Id.* at 31,683.

The current purported taxonomy of *Z. hudsonius* includes 12 subspecies. In each of its many publications addressing the contested status of the Preble’s mouse as a subspecies, the Service has relied on Philip Krutzsch’s 1954 taxonomic observations. After studying the morphology of 3,600 specimens, Krutzsch identified the 12 subspecies. *Id.* at 31,682. Krutzsch delineated the Preble’s mouse subspecies based on the “presence of physical habitat barriers and the lack of known intergradation . . . between the [Preble’s mouse] . . . and other identified subspecies of meadow jumping mice ranging to the east and north.” *Id.* Krutzsch based his claim that the Preble’s mouse is a valid subspecies “on geographic separation and morphological differences,” including qualitative differences in coloration and skull size between geographically adjacent subspecies. *Id.*

Relying on a morphometric analysis of four adult and seven non-adult specimens, Krutzsch reported seven distinguishing traits in the mice, although he only published quantitative results (nine measurements) on two of these traits for three specimens. *Id.* Notwithstanding this dearth of quantitative data, Krutzsch “concluded that the differences between [Preble’s mice] and

neighboring meadow jumping mice was considerable and enough to warrant a subspecific designation.” *Id.* The Service maintains that Dr. Kruttsch’s taxonomy “has been generally accepted by most small mammal taxonomists for the past half-century.” *Id.*

B. The Listing of the Preble’s Mouse as a Threatened Subspecies

In 1998, the Service listed the Preble’s mouse as a threatened subspecies. *See* 63 Fed. Reg. at 26,517. In support of its decision, the Service claimed that “[h]abitat alteration, degradation, loss, and fragmentation” due to residential development and commercial land-use had adversely affected the mouse’s populations and caused a reduction in the size of the subspecies’ range. *Id.* at 26,525. The Service defended its reliance on Kruttsch’s research to justify the mouse’s subspecies status, asserting that Kruttsch’s 1954 revision of the genus *Zapus* was the definitive taxonomic authority on North American jumping mice. *Id.* at 26,517. In response to public comments questioning the validity of the Preble’s mouse as a subspecies, the Service asserted that the mouse “is widely recognized as a valid subspecies by the scientific community.” *Id.* at 26,521. The agency cited the only genetic study then available concerning the uniqueness of the Preble’s mouse relative to neighboring subspecies, a mitochondrial DNA analysis conducted by Larry Riggs. *Id.* at 26,518. The Riggs report concluded that “a geographically contiguous set of populations

previously recognized as Preble's meadow jumping mouse (*Z. h. preblei*) form a homogenous group recognizably distinct from other nearby populations and from geographically-adjacent species of the genus.”¹ *Id.* at 26,518 (quoting Riggs, *et al.* (1997)). Following the listing, the Service assembled a team to develop a recovery plan for the Preble's mouse, and later designated approximately 32,000 acres of critical habitat. *See* 68 Fed. Reg. 37,276 (June 23, 2003).

C. The Mouse's Contentious Tenure on the List of Threatened Species

The listing of the Preble's mouse has proven both scientifically and politically controversial, in large part due to the Service's continued reliance on Krutzsch's decades-old, morphology-based subspecies taxonomy. Ever since the mouse was first listed, private and public institutions have questioned the Service's recognition of the mouse as a subspecies and challenged various regulatory actions taken by the Service regarding the mouse. The following account of the Service's management of the mouse over the past decade-and-a-half demonstrates the persistent scientific controversy over whether the Preble's mouse constitutes a valid taxon.

¹ The Service has acknowledged that “[t]he Riggs *et al.* (1997) results were not published in a peer-reviewed journal,” but were reviewed by David Hafner of the New Mexico Museum of Natural History and Science. 78 Fed. Reg. at 31,683.

In December, 2003, Wyoming's Office of the Governor and Coloradans for Water Conservation and Development each petitioned the Service to delist the mouse. Their petitions contended that the mouse's taxonomy was no longer valid. They relied on a soon-to-be published study (Ramey, *et al.* (2005)) asserting that the Preble's mouse should be synonymized with an unthreatened subspecies (*Z. h. campestris*), on account of the lack of morphological, genetic, and ecological evidence of the latter's distinctiveness. See 69 Fed. Reg. 16,944 (Mar. 31, 2004). Krutzsch himself reviewed the study and, notwithstanding his prior taxonomic conclusion to the contrary, agreed that the Preble's mouse subspecies was no longer defensible.²

In a subsequent 12-month finding, the Service endorsed Dr. Ramey's study "as the best scientific and commercial information available regarding the taxonomy" of the mouse. The agency then published a proposed rule to delist the mouse. 70 Fed. Reg. 5404, 5409 (Feb. 2, 2005). Before publishing a final rule, the Service sought to verify the Ramey study's results. To that end, it requested the U.S. Geological Survey to conduct an additional genetic analysis and comparison of the mouse with four neighboring subspecies. 73

² See David Holthouse, *Building a Better Mousetrap*, WESTWORD (Jan. 20, 2005), <http://www.westword.com/news/building-a-better-mousetrap-5082658>. Notably, the Service has so far failed to acknowledge Krutzsch's disavowal of his earlier conclusion that the Preble's mouse is a distinct subspecies.

Fed. Reg. 39,790, 39,791 (July 10, 2008). The resulting study, King, *et al.* (2006), claimed to find “systemic error” in Ramey’s study, and concluded that the Preble’s mouse should *not* be synonymized with geographically-adjacent subspecies.

The Service further delayed publishing a final rule to delist the mouse in order to address the discrepancies between the Ramey and King studies, and eventually contracted with Sustainable Ecosystems Institute (SEI) to review the two studies. *See* 71 Fed. Reg. 8556 (Feb. 17, 2006). SEI convened a panel of genetic and systematics experts. Placing the burden on those who would challenge the subspecies designation, Brian S. Arbogast, *et al.*, SEI, *Evaluation of Scientific Information Regarding Preble’s Meadow Jumping Mouse* 39 (2006), the panel ultimately sided with maintaining the mouse’s subspecies listing. *See* 78 Fed. Reg. at 31,686. Nevertheless, the panel conceded that the mouse’s subspecies designation could not be supported by a lack of ecological exchangeability. SEI 41. Moreover, the panel acknowledged that the mouse’s status as an evolutionarily significant population “is debatable,” and that the mouse would not qualify as a phylogenetic species (which some taxonomists equate with the biological species concept). *Id.* at 45-46. *Cf.* Holly Doremus, *The Endangered Species Act: Static Law Meets Dynamic World*, 32 Wash. U. J.L. & Pol’y 175, 186 (2010) (noting that the

phylogenetic species concept is actually more generous to new taxa than the biological species concept). Dr. Ramey disputed the SEI report's affirmance of the mouse's subspecies classification, but the Service declined to respond to his objections or pursue further investigation of his claims. *See* 78 Fed. Reg. at 31,686.

In September, 2006, the State of Wyoming gave notice of its intent to sue the Service for "failure to publish a final determination on [its] 2005 proposed delisting rule within the timeframes allowed by the [ESA]." *Id.* at 31,681. The following year the Service and Wyoming settled, with the agency agreeing to publish a new proposed regulation after "considering the [mouse's] taxonomy and the subspecies' threatened status in light of all current distribution, abundance, and trends data." *Id.* The Service eventually published a final rule removing the Act's protections for the mouse in Wyoming. The Service explained that, while the mouse was not threatened throughout its entire range, the subspecies should retain its threatened status in Colorado, which the agency deemed a significant portion of the mouse's range. *See* 73 Fed. Reg. 39,790 (July 10, 2008).

Soon thereafter, the Service's interpretation of the statutory phrase "significant portion of its range" was successfully challenged. *See Center for Native Ecosystems v. Salazar*, 795 F. Supp. 2d 1236 (D. Colo. 2011). The

Service therefore reinstated the regulatory protections for the mouse in Wyoming. *See* 76 Fed. Reg. 47,490 (Aug. 5, 2011). Also, the agency was ordered to respond to the two 2003 delisting petitions in a 12-month status review of the mouse. *Ctr. for Native Ecosystems*, 795 F. Supp. 2d at 1244. The Service combined the court-ordered status review with the statutorily-mandated five-year review of the mouse, and published the findings on May 24, 2013. *See* 78 Fed. Reg. at 31,680-712. In its decision, the Service reiterated that the “best scientific and commercial data available support the conclusion that the [mouse] is a valid subspecies,” such that “delisting the [mouse] is not warranted at this time.” 78 Fed. Reg. at 31,686, 31,709.

**A NEW STUDY CONFIRMS THAT THE
PREBLE’S MEADOW JUMPING
MOUSE IS NOT A VALID SUBSPECIES**

A recent phylogenetic study on North American jumping rice, Malaney and Cook (2013), Attachment 1,² now represents the best available science on the Preble’s mouse. The Malaney and Cook study demonstrates that the populations of mice comprising the Preble’s mouse taxon are actually part of a large and distinct lineage of jumping mice with a range extending north along the Rocky Mountains all the way into Canada and Alaska. Accordingly, the

² Other than Malaney and Cook (2013), all of the scientific references in this delisting petition have been cited in prior Service findings, are therefore presumably in the Service’s files, and thus are not attached to this petition.

mouse should be considered taxonomically synonymous with the rest of this lineage. The Malaney and Cook study definitively supplants Kruttsch's antiquated taxonomy. It demonstrates how the data on which the Service has relied in all prior decisions on the mouse's listing status, including the 2006 King study and subsequent SEI review, were fundamentally flawed. It shows that these prior studies improperly limited their analyses to the Preble's mouse and other mouse populations geographically adjacent to the presumed range of the Preble's mouse.

A. The Service Must Delist a Species When the Best Data Available Show That the Original Listing Was in Error

Under the Endangered Species Act, any interested person has the right to petition the Service to add or remove a species from the lists of protected populations. *See* 16 U.S.C. § 1533(b)(3). Upon receipt of a petition, the Service must respond within 90 days by making a finding “as to whether the petition presents substantial scientific or commercial information indicating that the petitioned action may be warranted.” 50 C.F.R. § 424.14(h)(1). The Service's regulations define “substantial . . . information” as that amount of information that would lead “a reasonable person conducting an impartial scientific review [to] conclude that the action proposed in the petition *may* be warranted.” *Id.* § 424.14(h)(1)(ii) (emphasis added). For populations that have already been

subject to a formal status review—as is the case with the Preble’s mouse—the Service must determine “whether a reasonable person conducting an impartial scientific review would conclude that the action proposed in the petition may be warranted despite the previous review or finding.” *Id.* § 424.14(h)(1)(iii).

The standard “for evaluating whether substantial information has been presented by an ‘interested person’ is not overly-burdensome [and] does not require conclusive information.” *Moden v. U.S. Fish and Wildlife Serv.*, 281 F. Supp. 2d 1193, 1204 (D. Or. 2003) (characterizing the standard as “non-stringent”). *See Ctr. for Biological Diversity v. Morgenweck*, 351 F. Supp. 2d 1137, 1140–41 (D. Colo. 2004) (noting that the Endangered Species Act “sets forth a lesser standard” for evaluating whether a petition contains substantial information such that an action by the Service may be warranted). Upon finding that a petition presents substantial information that listing or delisting of a species may be warranted, the Service must commence a review of the status of the species, and within twelve months from the date the petition was filed, promptly publish its finding as to whether the petitioned action is warranted. 16 U.S.C. § 1533(b)(3); 50 C.F.R. § 424.14(h)(2).

The Service is required by statute to make any listing or delisting determinations “solely on the basis of the best scientific and commercial data available.” 16 U.S.C. § 1533(b)(1)(A). Its regulations require that taxonomic

determinations must be based on “standard taxonomic distinctions and the biological expertise of the Department [of Interior] and the scientific community,” and set forth three grounds for delisting a species or subspecies. 50 C.F.R. § 424.11(a), (d). One of these grounds—the original data for classifying the species were in error, *id.* § 424.11(d)(3)—applies to the Preble’s mouse.

As mentioned above, in the agency’s most recent 12-month finding, the Service maintained that “the best scientific and commercial information currently available indicates that the [mouse] is a valid subspecies.” 78 Fed. Reg. at 31,686. The Service based that conclusion on Kruttsch’s taxonomy and the genetic analysis of the King, *et al.* (2006), study, which had purportedly debunked Dr. Ramey’s previous study concluding that the mouse is not a valid subspecies. *Id.* The Service, however, also acknowledged two ongoing studies aimed at further addressing taxonomic and evolutionary questions regarding the mouse. The agency therefore agreed to “evaluate any new information as it becomes available.” *Id.* One of the studies specifically anticipated by the Service in its 2013 finding is Malaney and Cook (2013), the most recent study “[seeking] to clarify genetic relationships between meadow jumping mice across North America.” *Id.* In light of the results of the Malaney and Cook study, which now represents the best available scientific data on the Preble’s

mouse, the Service must delist mouse. *Cf.* 50 C.F.R. § 424.14(h)(1)(iii) (new information not previously considered by the Service may constitute “substantial . . . information” warranting delisting).

B. Malaney and Cook (2013) Constitutes the Best Available Scientific Data on the Preble’s Mouse

Malaney and Cook (2013) is the first and only study of the Preble’s mouse to combine genetic analyses with species distribution modeling and tests of ecological interchangeability. Malaney and Cook (2013) at 1. Particularly significant is that, unlike all previous genetic studies of North American jumping mice (including King, *et al.* (2006), which only examined five neighboring subspecies of meadow jumping mice), Malaney and Cook (2013) obtained a comprehensive sampling of every subspecies of jumping mouse found in North America, using DNA sequences from 762 specimens. *See id.* at 3, 7. The study produced a species-tree phylogeny that identified 21 significantly divergent historical-biogeographical lineages of North American jumping mice. *See id.* at 4 fig. 2. Notably, the tree “failed to document significant support for all *morphologically* based subspecies,” such as the Preble’s mouse. *Id.* at 8 (emphasis added). The study points out that the Krutzsch taxonomy and previous molecular studies of the mouse—for example, Ramey, *et al.* (2005), and King, *et al.* (2006)—“assumed that spatially adjacent

subspecies were most closely related, leading to limited sampling of taxa ($\frac{1}{2}$ subspecies) and geographical breadth ($<1/3$ *Z. hudsonius* range) as the basis for the federal listing.” Malaney and Cook (2013) at 10–11. In contrast, Malaney and Cook (2013) used “lineage-based evolutionary divergence and tests of ecological variation across *all infraspecific taxa*, not just adjacent subspecies.” *Id.* at 2 (emphasis added). In addition to its comprehensive sampling, Malaney and Cook (2013) used a rigorously quantitative approach to assess lineage distinctiveness, integrating genetic, evolutionary, and ecological data. Consequently, the study’s lineage-based species-tree phylogeny is vastly superior to Kruttsch’s morphologically-based taxonomy in its representation of the genetic diversity of North American jumping mice.

Previous genetic studies, such as King, *et al.* (2006), had “focused on geographically proximate taxa that were assumed to be close phylogenetic relatives.” Using a contrastingly broader approach, Malaney and Cook (2013) discovered that “far northern (geographically distant) subspecies . . . form a closely related clade with Front Range *Z. h. preblei*.” *Id.* at 8. Malaney and Cook (2013) also found no distinguishing nuclear DNA base pair changes between Front Range populations (*i.e.*, all Preble’s mouse populations) and populations found much farther north in Canada and Alaska. *Id.* The study’s

phylogenetic analyses also “documented four errors in reporting data from King *et al.* (2006),” *id.* at 7, further undermining that study’s validity.

The results of Malaney and Cook (2013) were informed by the study’s integration of historical biogeography, a spatiotemporal perspective analyzing demographic signals and spatial shifts of lineages over time. With regard to the Northern lineage, including the Preble’s mouse populations, the study found low measures of intra-lineage genetic differentiation. This finding is consistent with a recent northward expansion of the mouse. *Id.* at 1. Such expansion was an ecological response to the Earth’s latest deglaciation, which allowed closely related jumping mice populations to expand rapidly to the north as part of a general “poleward shift of biota.” *Id.* In addition to genetic data, fossil data and niche studies bolster the conclusion “that during the early Holocene as glaciers retreated, ancestors of the Northern lineage . . . tracked suitable conditions westward from the Great Plains to regions along the Front Range of the Southern Rockies and northward to Alaska.” *Id.* at 12 (citations omitted).

Malaney and Cook (2013) emphasized “the need to assess evolutionary variation within a comprehensive historical-biogeographical context, as a first step in evaluating conservation status.” *Id.* at 11. The study therefore noted that Krutzsch’s morphologically based taxonomy and previous molecular

studies of the mouse had erroneously “assumed that spatially adjacent subspecies were most closely related.”³ *Id.* at 10. To be sure, Malaney and Cook (2013) agreed with King, *et al.* (2006), that the Preble’s mouse, as part of the Northern lineage, is evolutionarily distinct from the Northern Plains lineage of jumping mice. Nevertheless, Malaney and Cook (2013) concluded that the mouse’s taxonomy as accepted by the Service is antiquated. In light of genetic similarity and a lack of any distinct variation in both niche and morphological characteristics, the Preble’s mouse should be considered taxonomically synonymous with the two other subspecies constituting the Northern lineage, *Z. h. alascensis* and *Z. h. tenellus*. *Id.* at 9.

The final endeavor of Malaney and Cook (2013) was to calculate conservation prioritization scores based on the evolutionary distinctiveness and risk of extinction for each of the twenty-one lineages identified. *See id.* at 6, 7 fig. 3. The study stressed “that management plans for species-of-concern should, at a minimum, require comprehensive sampling of a species range coupled with phylogeographical analyses to establish a broad spatial and

³ Malaney and Cook (2013) posits that the mouse conforms to a common biogeographical evolutionary pattern in North America. Malaney and Cook (2013) at 1 (citations omitted) (“[M]olecular signatures reveal that across multiple species, many high-latitude populations share recent ancestry with distant low-latitude populations due to rapid northward colonization following glacial retreat. Conversely, adjacent low-latitude populations are often genetically divergent, reflecting enduring spatial disjunction.”).

temporal perspective on diversity as a strong foundation for prioritizing conservation efforts.” *Id.* at 9. Calculations revealed that “[o]ver 75% (16/21) of jumping mice lineages rank higher in the [Evolutionarily Distinct and Globally Endangered] conservation priority than the Northern lineage.” *Id.* at 12. Because the Northern lineage has a wide and expanding range, as well as a comparatively large effective population size, and has experienced recent demographic growth, the Northern lineage most likely fits the International Union for Conservation of Nature status of “least concern.” *Id.* Notably, Malaney and Cook (2013) also pointed out that the five jumping mice lineages with the highest extinction threats currently have no protected status. *See id.* at 11, 12, Table 3. Thus, conservation resources currently in place to protect the Preble’s mouse populations might be better spent on preserving some of the lineages that are far more ecologically and evolutionarily divergent, as these lineages are also more prone to anthropogenic fragmentation due to their lower-latitude habitats.⁴ *Id.* at 12.

⁴ The original Ramey study made the same point. *See* Ramey, *et al.* (2005) at 341 (“[The listing of] an invalid taxon or non-distinct population . . . affects other species because limited conservation resources are then misallocated.”).

To summarize, Malaney and Cook (2013) has undercut the taxonomy supporting the listing of the Preble's mouse. The study's rigorously quantitative methodology is far more intricate and comprehensive than Krutzsch's almost entirely qualitative approach. The study's phylogenetic results completely supplant Krutzsch's outmoded taxonomy as the best taxonomic data on the mouse. Additionally, in light of Malaney and Cook (2013), the Service can no longer rely on King, *et al.* (2006), as the best available genetic data on the mouse. Because the King study considered only adjacent subspecies in its analysis, and did not undertake complete taxon sampling, its methods were erroneous and its conclusions illegitimate. Put simply, the King study could never have discovered that the Preble's mouse is genetically synonymous with two unthreatened Northern subspecies, because the King study failed to include those subspecies in its analysis. Both in methodology and in scope, Malaney and Cook (2013) is the most comprehensive study of the mouse. The Service must defer to its findings as the best scientific information currently available.

CONCLUSION

Malaney and Cook (2013) constitutes the best scientific information on North American jumping mice. The study's results strongly support the conclusions that the Preble's mouse is *not* a valid subspecies and that the genetic lineage to which it belongs is *not* threatened. They also demonstrate that the previous data relied on to justify listing the mouse as a threatened subspecies were both deficient and erroneous. Therefore, the Preble's mouse should be delisted.

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Respectfully submitted,



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Association, Colorado Cattlemen's
Association, Colorado Association of Home
Builders, and Housing & Building
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Attachment 1

Using biogeographical history to inform conservation: the case of Preble's meadow jumping mouse

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Abstract

The last Pleistocene deglaciation shaped temperate and boreal communities in North America. Rapid northward expansion into high latitudes created distinctive spatial genetic patterns within species that include closely related groups of populations that are now widely spread across latitudes, while longitudinally adjacent populations, especially those near the southern periphery, often are distinctive due to long-term disjunction. Across a spatial expanse that includes both recently colonized and long-occupied regions, we analysed molecular variation in zaptid rodents to explore how past climate shifts influenced diversification in this group. By combining molecular analyses with species distribution modelling and tests of ecological interchangeability, we show that the lineage including the Preble's meadow jumping mouse (*Zapus hudsonius preblei*), a US federally listed taxon of conservation concern, is not restricted to the southern Rocky Mountains. Rather, populations along the Front Range are part of a single lineage that is ecologically indistinct and extends to the far north. Of the 21 lineages identified, this Northern lineage has the largest geographical range and low measures of intralinear genetic differentiation, consistent with recent northward expansion. Comprehensive sampling combined with coalescent-based analyses and niche modelling leads to a radically different view of geographical structure within jumping mice and indicates the need to re-evaluate their taxonomy and management. This analysis highlights a premise in conservation biology that biogeographical history should play a central role in establishing conservation priorities.

Keywords: conservation prioritization, historical biogeography, phylogeography, species distribution modelling

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Introduction

Historical biogeography provides the spatiotemporal context to document geographical variability and to explore processes responsible for generating diversity (Hewitt 2000; Riddle & Hafner 2007; Wiens 2012). A growing body of knowledge from fossils (Polly 2003), DNA analyses (Lessa *et al.* 2003; Nullmeier & Hallatschek 2013) and species distribution models (SDMs; Bell *et al.* 2007; Carnaval *et al.* 2009) demonstrates poleward

shifts (Hewitt 1999, 2004) of biota since the last glacial maximum (LGM, 26.5–19.0 ka; Clark *et al.* 2009), reflecting the role of Pleistocene climate fluctuations in shaping present-day distributions and patterns of diversity. Analogous shifts to higher elevations with warming conditions are also documented (Moritz *et al.* 2008; Galbreath *et al.* 2009). In North America, molecular signatures reveal that across multiple species, many high-latitude populations share recent ancestry with distant low-latitude populations due to rapid northward colonization following glacial retreat (Lessa *et al.* 2003). Conversely, adjacent low-latitude populations are often genetically divergent, reflecting enduring spatial disjunction (Hampe & Petit 2005; Malaney *et al.* in press). Identifying distinct evolutionary lineages and their spatial distribution is central to understanding the

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processes that lead to biological diversification (Richardson & Whittaker 2010), but these units also are often the target of conservation action (Collen *et al.* 2011; Winter *et al.* 2013). Deciphering molecular signatures across the entire range of a species should be an essential first step towards executing effective conservation and management strategies, but this step requires broad sampling across multiple components (taxonomic, genetic, geographical, ecological) to ensure variation and historical signatures are rigorously assessed (Knowles 2009; Hickerson *et al.* 2010; Hey & Pinho 2012).

The federal Endangered Species Act (ESA) is a cornerstone of management practices in the United States and often guides conservation spending; however, implementation of the ESA can be problematic (Schwartz 2008; Wilcove & Master 2008; Wood & Gross 2008). Debate persists on how best to assess imperilment, but a foundational principle is to conserve diversity and processes responsible for diversification, often by identifying significant evolutionary divergence (Crozier 1997; Nee & May 1997; Stockwell *et al.* 2003; Willis & Birks 2006). Limited ranges and declining populations also are widely considered to heighten conservation concern (IUCN 2001; Bradshaw & Brook 2010). Conservation decisions often need to be made quickly and thus using available information, which can often be data sets based on a single character type (usually morphology) analysed before rigorous quantitative methods were widely available. Furthermore, morphologically based taxonomies may miss the details of phylogeographical variation (Riddle & Hafner 1999; Pryon & Burbrink 2009; Braby *et al.* 2012). Consequently, conservation efforts frequently rely on antiquated infraspecific taxonomy (i.e. subspecies) as the primary roadmap identifying diversity (Mace 2004; Gippoliti & Amori 2007), yet federal managers are bound by statute to follow the 'best-available science'. Allocation of finite conservation resources should hinge on the ability to define geographical variation within species (Moritz 1994, 1995) and assess ecological interchangeability within and among lineages (Crandall *et al.* 2000; Fraser & Bernatchez 2001). Once lineages have been identified, populations should be further assessed to identify and accommodate localized adaptive features (Rader *et al.* 2005). To identify units of significant evolutionary divergence, lineage-based conservation depends on adequate sampling across genes and across the spatial and ecological breadth of diversity (Zwickl & Hillis 2002; Hird *et al.* 2010; Makowsky *et al.* 2010) to ensure evolutionary history is well established (Fujita *et al.* 2012). We implement conservation-phylogenetic methods (May 1990; Vane-Wright *et al.* 1991; Faith 2007; Winter *et al.* 2013) by integrating genetic and ecological approaches to assess whether genetic subdivisions are consistent

with previous jumping mice taxonomic hypotheses. Then, we develop conservation priorities that reflect a historical-biogeographical perspective (Ceballos & Brown 1995; Channell & Lomolino 2000; Whittaker *et al.* 2005; Richardson & Whittaker 2010) predicated on extinction threats of lineages. Conservation phylogenetic techniques have been developed (Isaac *et al.* 2007; Collen *et al.* 2011) to more objectively prioritize protection efforts. We explore the historical signatures (genetics and niches) of jumping mice lineages and simultaneously test alternative hypotheses (Knowles & Carstens 2007b; Richards *et al.* 2007) of evolutionary independence across this group.

Broadly, our aim is to highlight that unravelling biogeographical signatures of the past is an essential step in conservation efforts. More specifically, we examine whether geographical structure of evolutionary diversity is reflected in taxonomy (Kruttsch 1954; Holden & Musser 2005), which is the current foundation of the politically charged management of zapodid rodents in North America (Ramey *et al.* 2005; King *et al.* 2006). We use a coalescent-based approach (de Queiroz 2007; Fujita *et al.* 2012) to establish intraspecific relationships and then integrate phylogeographical structure, including historical demographic signals and spatial shifts, into conservation prioritization. With this approach, we reveal recent biogeographical histories (since LGM) including populations of the Preble's meadow jumping mouse (*Zapus hudsonius preblei*, Fig. 1B) along the Front Range of Colorado and Wyoming (USFWS 1998, 2002) that are minimally diverged from populations extending far northward to western Canada and Alaska (Figs 1A and 2). Since 1998, controversy regarding the federal listing of this subspecies has led to rancorous debates in popular press (Johnson 2004; Heilprin 2006), science (Ramey *et al.* 2005, 2006, 2007; King *et al.* 2006; Martin 2006; Vignieri *et al.* 2006; Crifasi 2007), policy (Lackey 2007; Scott *et al.* 2007) and law (Doremus 2010). Conservation efforts for *Z. h. preblei* in the past were estimated at nearly \$172 million (Industrial Economics I 2002) and may cost an additional \$268 million in the next two decades (Industrial Economics I 2010; USFWS 2010). Our work extends previous efforts to test the distinctiveness of this subspecies (Ramey *et al.* 2005; King *et al.* 2006) by placing *Z. h. preblei* populations within an expanded context of zapodid variation. This approach uses lineage-based evolutionary divergence and tests of ecological variation across all infraspecific taxa, not just adjacent subspecies.

Materials and methods

Our generalized workflow began with sequencing DNA from all jumping mice infraspecific taxa using samples

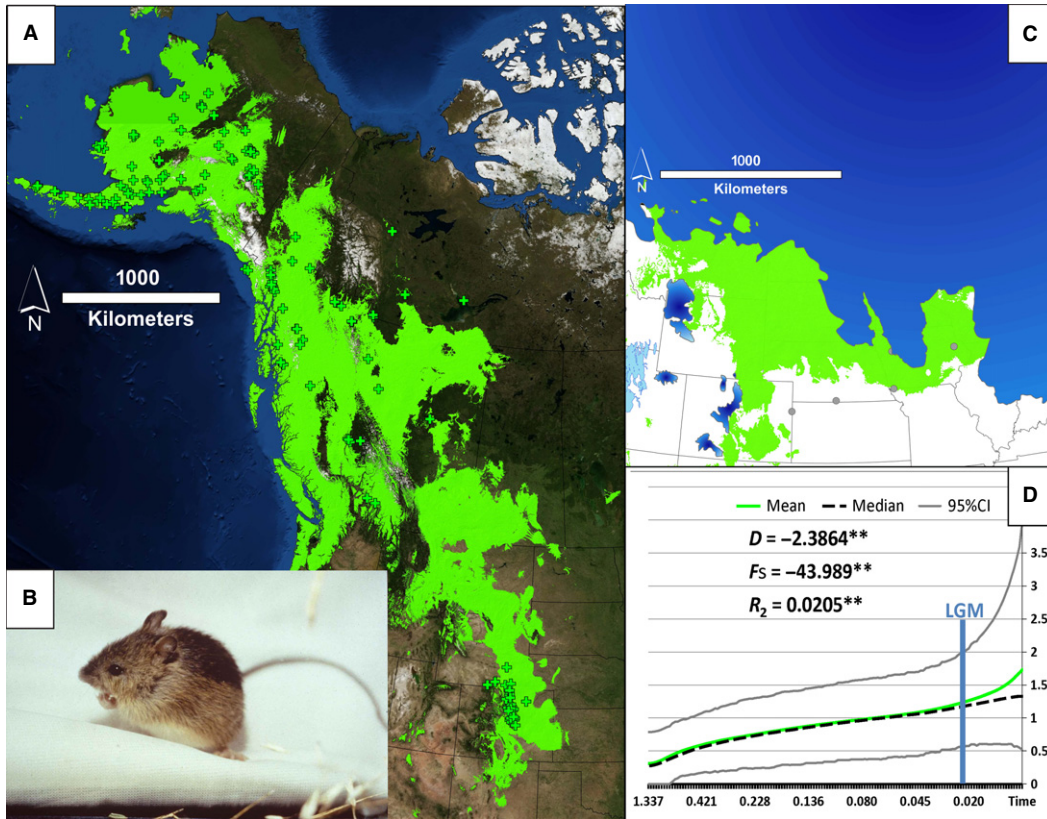


Fig. 1 (A) Potential contemporary distribution of the Northern lineage (includes USFWS threatened *Zapus hudsonius preblei*). (B) Photograph of Preble's meadow jumping mouse. (C) Species distribution model (SDM) for Northern lineage at the last glacial maximum (LGM). Note a significant expansion from ancestral range(s) to both high latitudes (e.g. Alaskan Peninsula) and Front Range of Colorado and Wyoming during the Holocene. Fossils (●) dated to LGM on the Great Plains are consistent with the paleodistribution reconstruction with a narrow-range hind-cast projection. (D) Shallow divergence, wide range and recent population changes (coalescent-based demographic tests: multilocus extended Bayesian skyline plot and mtDNA summary statistics) all reflect significant demographic and spatial expansion following Pleistocene deglaciation. This common historical-biogeographical process led to widespread and genetically similar populations that represent a low extinction threat of the lineage.

from natural history museums and targeted fieldwork (2007 and 2010). Single-gene and multilocus phylogeny reconstructions were used to identify coalescent-based lineages. Mutation-drift equilibrium summary statistics (mtDNA) and Bayesian skyline analyses were conducted to document historical demographic change for each lineage. Phylogenetically informed SDMs (Phillips *et al.* 2006; Franklin 2010; Scoble & Lowe 2010; May *et al.* 2011) were constructed from contemporary locality records and retrospectively applied to the past to identify potential paleodistributions (i.e. at LGM; Waltari *et al.* 2007). Fossils were integrated in phylogeny reconstructions and to independently confirm paleodistributions. Finally, evolutionary divergence, population size change (contemporary and historical), current range size, range size change since LGM and existing management units (e.g. Front Range jumping mice) were integrated to define extinction threats (Table S1, Supporting information), and each lineage was assigned

an updated regional IUCN score (IUCN 2003). IUCN scores were then converted using ranks-to-extinction probability transformations and applied to the lineage-based species-tree phylogeny to assess conservation priorities (Vane-Wright *et al.* 1991; Collen *et al.* 2011) across all jumping mice.

Genetic data

We obtained DNA sequences for 762 jumping mice across North America including type localities (i.e. topotypes) of subspecies. We extracted and sampled DNA from 430 individuals and sequenced the complete mitochondrial cytochrome *b* gene (*cytb*—1140 bp). To more fully explore genomic diversity, we also sequenced a subset of these samples for two nuclear introns and two nuclear exons. Partial introns included apolipoprotein B and glucocerebrosidase, and partial exons included breast cancer susceptibility (BCRA1) and the beta-myosin

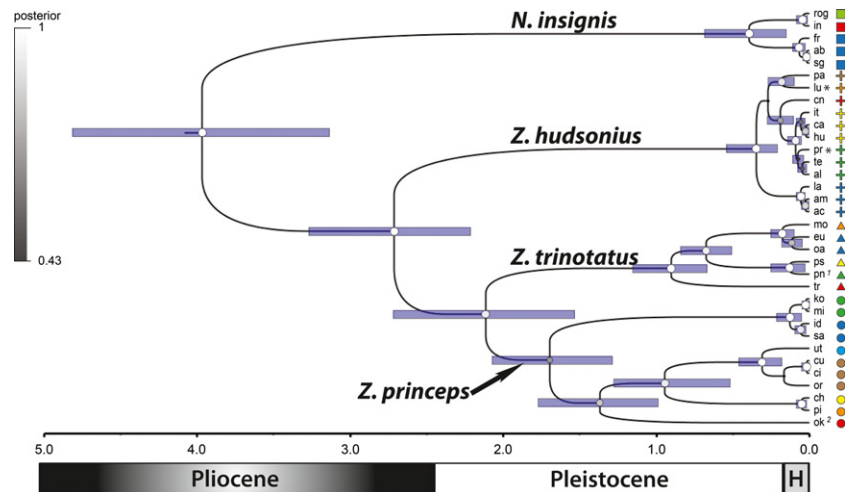


Fig. 2 Coalescent-based Bayesian multilocus species-tree phylogeny (Edwards 2009) for North American jumping mice. Open circles (○) at nodes represent >0.95 posterior probability (PP) and bars highlighting 95% highest posterior density interval (HPD) of divergence time. Tips reflect complete taxon sampling of 32 subspecies (two letter abbreviations) + 2 cryptic taxa (^{1,2}; see Himes and Kenagy 2013; Malaney *et al.* in press). Tip shapes represent 21 significantly divergent historical-biogeographical lineages and correspond with other Tables and Figures. Taxa of conservation concern (*) include the federally threatened subspecies (*Zapus hudsonius preblei*) and the federal candidate subspecies (*Z. h. luteus*). Timescales correspond with the chronology of Late Pliocene, Pleistocene and Holocene (H) epochs in North America.

heavy chain (MYH6). Additional mtDNA data were obtained from GenBank for the *cytb* gene from previous molecular studies including 332 samples of 1006 bp from King *et al.* (2006). Control-region data from Ramey *et al.* (2005) were not included in any analyses. Samples were partitioned by species: 31 *Napaeozapus insignis* (five subspecies), 455 *Z. hudsonius* (12 subspecies), 223 *Zapus princeps* (10 subspecies) and 53 *Zapus trinotatus* (four subspecies) to address conservation phylogenetic and historical-biogeographical questions and assess whether phylogeographical structure is reflected in the existing taxonomy (Krutzsch 1954; Hall 1981; Holden & Musser 2005; Fig. 2, Fig. S1, Supporting information). Polymerase chain reactions (PCRs) and cycle sequencing followed protocols previously established (Lyons *et al.* 1999; King *et al.* 2006; Malaney *et al.* in press), and heterozygous positions within the nDNA data sets were scored using the IUPAC nucleic acid code.

Specific nDNA alleles were identified using statistical methods with haplotypes inferred from multiallelic loci using a Bayesian framework via PHASE (Stephens *et al.* 2001; Stephens & Scheet 2005) in DNASP, v. 5.10.01 (Librado & Rozas 2009). We conducted three independent runs for each locus for 1k iterations with alterations in block size for the partition–ligation procedure. Individual haplotypes that could not be statistically resolved (<90% posterior probability, PP) were coded as missing data. Homologous sequences were aligned using MUSCLE, v. 3.7 (Edgar 2004), and validated visually. Individual contigs were deposited in GenBank (see Table S4,

Supporting information), and alignments are available on DRYAD (doi: 10.5061/dryad.rq412).

Phylogenetic analyses

We conducted phylogenetic analyses using a Bayesian inference (BI) framework for each locus with MRBAYES, v. 3.1.2 (Huelsenbeck & Ronquist 2005; Lakner *et al.* 2008). Aligned data sets were subjected to alternative models of sequence evolution in JMODELTEST (Posada 2008) where Bayesian information criterion (BIC; Posada & Buckley 2004) was used to determine the best-fit nucleotide substitution model (Table S3, Supporting information). Phylogenetic reconstructions were initiated with random trees, run with four chains (default heating values) for 5 million generations, with sampling every 5k generations. Convergence diagnostics were completed with the program AWTY (Nylander *et al.* 2007), and optimal parameter estimates were examined in TRACER (Drummond & Rambaut 2007). Nodal support (PP) was identified in the consensus of the residual trees with the first 5k trees discarded (Huelsenbeck & Imennov 2002), and three independent runs were performed to ensure replicated convergence, and trees were depicted with FIGTREE.

Tree-based methods may fail to reveal reticulate evolution (Posada & Crandall 2001) thought to be common in recent divergences Hudson & Bryant (2006), so we also conducted a phylogenetic statistical parsimony network analysis (Templeton *et al.* 1992) for each species and each gene using TCS, v. 1.21 (Clement *et al.*

2000). This analysis implements the statistical parsimony approach of Templeton *et al.* (1992) to further explore the relationship between incipient divergent haplotypes and facilitate a fuller investigation of the intraspecific gene genealogies. The King *et al.* (2006) data set required all *Z. hudsonius* *cytb* to be truncated by 134 bp for these analyses.

Species-tree estimation and divergence

Single-gene analyses often indicate a lack of monophyly at the species level and may vary in comparisons among loci (McCormack *et al.* 2009), so we jointly estimated the phylogeny and divergence times with *BEAST (Heled & Drummond 2010) using a subset of the molecular data from each subspecies (topotypes). We used species-tree methods (McCormack *et al.* 2009) to assess whether phylogeographical structure is reflected by the morphologically based subspecies taxonomy of North American jumping mice (Kruttsch 1954). We sampled at least one representative topotype for each subspecies, but generally >3 representatives for all genes conforming to a multilocus, multispecies, coalescent-based framework (Fujita *et al.* 2012). Analyses were setup in BEAUTI, v. 1.7.0, and run with BEAST, v.1.7.0. Fossil validation points for divergences were used at several nodes (McCormack *et al.* 2011; Fig. 2) of the species tree from well-dated fossils of North American zapodids (Hibbard 1941; Klingener 1966; Kurtén & Anderson 1980; Hafner 1993; Ruez & Bell 2004; Harington 2011) and correspond to paleodistribution reconstructions (see below) and established estimates of spatiotemporal divergence. We used a strict molecular clock (0.05) for the mtDNA data set and estimated clocks for nDNA. Models of sequence evolution (Table S3, Supporting information) were used for each locus with remaining parameters set to default. Runs were conducted for 100 M generations, sampled every 10k, and we examined ESS values (>200) in TRACER and split frequencies across the Markov chain in AWTY (Nylander *et al.* 2007) indicating stabilization. We summarized all plausible trees to identify the single topology that best represents the posterior distribution using TREEANNOTATOR. Burn-in was set to 10% with 0.5 PP limit and mean node heights for divergence estimates. The final maximum clade credibility tree was depicted in FIGTREE.

To define lineages, we use three forms of evidence common in phylogenetic studies. Specifically, we identified monophyly in the species tree, gene coalescences at the mtDNA and at least one nDNA gene, plus divergence time prior to the Holocene. For mtDNA independent (i.e. nuclear only) perspective, a *BEAST analysis was conducted with *cytb* excluded. Analogous parameterizations were retained except the BCRA gene

mutation rate was fixed at 0.005 with remaining loci relaxed (Fig. S5, Supporting information).

Demographic tests

Molecular diversity indices (Nei 1987) were calculated in DNASP and determined for each gene, by species and by lineage (mtDNA-Table 2) including segregating sites (S), number of haplotypes (N_h), haplotype (h) and nucleotide (π) diversity, and mean nucleotide differences (K).

Demographic equilibrium tests for the mtDNA data set were conducted for each lineage and included Tajima's D (Tajima 1989) Fu's F_s (Fu 1997) and R_2 test (Ramos-Onsins & Rozas 2002), and significance was assessed using a null distribution of 10 000 coalescent-based simulations. Demographic equilibrium tests (D , F_s , R_2) have high power for revealing change in N_e under a model of sudden expansion (Ramos-Onsins & Rozas 2002) where significant negative values of D and F_s and small positive values of R_2 are indicative of demographic growth. Tajima's D (large sample size) and the R_2 test (small sample size) estimates demographic change using information from segregating sites, whereas Fu's F_s uses information from haplotype frequencies based on Ewens' (Ewens 1972) sampling distribution.

Given that single-gene summary statistics (e.g. D , F_s , R_2) may not accurately capture or assess all historical demographic information, we also analysed changes in N_e through time using Bayesian skyline (mtDNA; Drummond *et al.* 2005) and extended Bayesian skyline analyses (multilocus; Heled & Drummond 2008). These coalescent-based approaches calculate the posterior distribution of N_e at intervals along the phylogeny. We performed analyses for each zapodid lineage using the model of nucleotide substitution, fixed the mtDNA substitution rate to 1 (substitution per site) and maintained a strict molecular clock, but estimated clocks for the nDNA data sets. Default setting for the skyline model (constant) and number of groups (10, except $n-1$ for Coastal, Northern Sierra, Okanogan and Southern Cascade) were retained.

Species distribution modelling

We used SDM to assess niche envelopes of each lineage with 2.5 min (~4 km) resolution, bioclimatic variables (Hijmans *et al.* 2005) from the WorldClim database (<http://www.worldclim.org>) for contemporary and LGM. Modelling procedures followed previous studies (Waltari *et al.* 2007; Waltari & Guralnick 2009) by clipping the coverages to the study area (species ranges + 300 km buffer; Anderson & Raza 2010). Niche

variables may be highly correlated and influence projections, so we used the 11 most biologically meaningful and uncorrelated coverages across North America (Bio1-3, 7-9, 15-19; Rissler & Apodaca 2007). Localities for each taxon were downloaded from MANIS (January 2011) and updated using Biogeomancer workbench (Guralnick *et al.* 2006). To account for sampling biases (Reddy & Davalos 2003) that may result in model overfitting, we discarded localities with $>0.5 \text{ km}^2$ uncertainty and filtered records so that only a single location was represented within 10 km^2 . Filtered locality data are available on DRYAD (doi: 10.5061/dryad.rq412). We partitioned localities by species-tree lineages (Fig. 2) rather than nominal subspecies to reconstruct SDMs for contemporary and ancestral conditions. One exception includes a finer-scale analysis of the Northern lineage to test whether *Z. h. preblei* is ecologically interchangeable with conspecifics (i.e. *Z. h. alascensis*, *Z. h. tenellus*; Table S3, Supporting information). Partitioned SDMs were used to inform regional IUCN rankings for each lineage (see below, Table S1, Supporting information).

Species distribution models were constructed using default settings in the program MAXENT, version 3.3.3a (Elith *et al.* 2006; Phillips *et al.* 2006), with 20 replicate runs and random background sampling within the 300 km buffer (Phillips *et al.* 2009). Species-specific parameter tuning is thought to enhance model performance (Anderson & Gonzalez 2011). Consequently, a preliminary analysis of model selection (Warren & Seifert 2011) was conducted, and results suggested the default settings in MAXENT were most appropriate for our wide-ranging and densely sampled data sets consistent with empirical performance evaluations (Phillips & Dudik 2008). When possible, localities with genetic data were used as the training data set. Some localities genotyped by Himes and Kenagy (2013) were used for *Z. trinotatus* but not for any genetic analyses. When insufficient genetic samples were available, we randomly reserved 20% of down-sampled MANIS localities as training data sets. Models used the pointwise bootstrap median of replicated runs with the 90% of the samples included as the projection criterion (Pearson *et al.* 2007). Given that changes in population size and range size are correlated (Excoffier *et al.* 2009; Arenas *et al.* 2012), we relate LGM and contemporary predicted SDM to historical and contemporary N_e that were then incorporated into IUCN rankings.

Niche conservatism is considered a continuum (Wiens & Graham 2005; Warren *et al.* 2008) where closely related taxa generally share niche space more frequently than randomly expected, but rarely are environmental envelopes identical. Ecological interchangeability is expected when niches are sufficiently similar (Rader *et al.* 2005). To detect the degree of ecological

interchangeability among jumping mice, we assessed niche overlap between pairs of lineages using two metrics: the *I* statistic (Warren *et al.* 2008) and relative rank (RR; Warren & Seifert 2011). With both metrics, pairwise overlap values range from 0.0 (completely discordant) to 1.0 (identical environmental envelopes). We also conducted niche identity tests to assess whether environmental envelope overlap is significantly different (one-tailed test) from a null expectation for populations within the Northern lineage. The niche identity test randomizes sample points and then reconstructs an expected degree of niche overlap from an underlying distribution. ENMTOOLS, v.1.3 (Warren *et al.* 2010), was used to assess niche overlap (*I*, RR) and conduct randomized tests (niche identity) using 100 pseudoreplicates for each analysis (Table S3, Supporting information).

Conservation prioritization

Regional IUCN rankings were updated for each lineage using established criteria (IUCN 2001, 2003) and applied to address both risk of extinction and conservation priority. Rankings are characterized by threats to extinction (Table S1, Supporting information), which simultaneously incorporates independent data sets. These data sets include current conservation concerns, phylogenetic distinctiveness, SDMs reflecting current range size and range size change since LGM, plus contemporary and historical change in population size. IUCN rankings included critically endangered (CR), endangered (EN), vulnerable (VU), near threatened (NT) and least concern (LC). The rankings extinct, extinct in the wild and regionally extinct (EX/EW/RE) and data deficient, not applicable and not evaluated (DD/NA/NE) were not implemented in this study.

Next, regional IUCN ranks were converted using the IUCN₁₀₀ (Mooers *et al.* 2008; Collen *et al.* 2011) ranks-to-extinction probability transformations with the TUATARA module (Maddison & Mooers 2007) in MESQUITE, v.2.75 (Maddison & Maddison 2009). There are several ranks-to-extinction transformations, but the IUCN₁₀₀ is thought to most accurately reflect threats to extinction within the next 100 years considering ongoing and future anthropogenic pressure (Mooers *et al.* 2008). In MESQUITE, conservation priority metrics were calculated using the Evolutionarily Distinct and Globally Endangered (EDGE; Isaac *et al.* 2007) score for each lineage with the IUCN₁₀₀ ranks-to-extinction transformation as the inverse weighting scheme (Table S1, Supporting information). For comparison, the unweighted May's Distinctness (May 1990) was used to offset any effects of using the IUCN₁₀₀ weighting scheme. A scatter plot was used to compare conservation priority measures (Fig. 3).

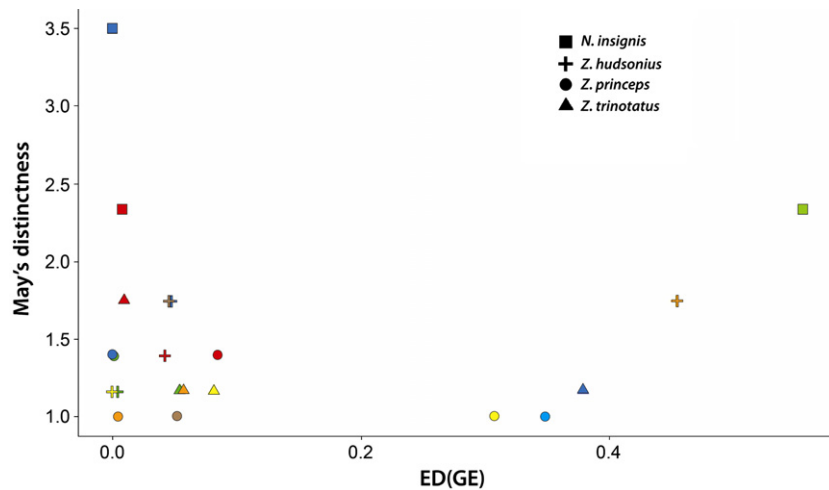


Fig. 3 Conservation prioritization (Evolutionarily Distinct + Globally Endangered—EDGE vs. May's Distinctness) scores contrasted for 21 divergent North American jumping mice lineages. The lineage that includes the federally threatened taxon (*Zapus hudsonius preblei*—green cross) is among the lowest conservation priorities using the IUCN₁₀₀ ranks-to-extinction probability transformation (Isaac *et al.* 2007; Mooers *et al.* 2008).

Results

Sampling

Range-wide samples that represented all extant zapodid taxa were obtained (i.e. complete taxon sampling, 32 subspecies of four extant species), and we then sequenced multiple genetic loci and inferred niche space to assess whether phylogeographical structure accurately reflects the taxonomy (Krutzsch 1954; Holden & Musser 2005). We simultaneously tested the genetic structure against the existing taxonomy and set the historic framework with a species-tree phylogeny (Carstens & Knowles 2007; Knowles & Carstens 2007a; Degnan & Rosenberg 2009; Heled & Drummond 2010). Then, by sampling niches using phylogenetically informed SDMs (Kozak *et al.* 2008; Franklin 2010), we explored potential contemporary and paleodistributions (Waltari *et al.* 2007) and to assess ecological interchangeability (Crandall *et al.* 2000; Rader *et al.* 2005; Warren *et al.* 2008) across all jumping mice lineages.

Phylogenetic analyses

Bayesian gene-tree analyses of individual loci produced alternate estimates of divergence (Fig. S1, Supporting information) and varying degrees of stochastic coalescent events among lineages. The mtDNA data set had the strongest phylogenetic signal and support values (posterior probabilities ≥ 0.95) identifying 12 clades as deeply divergent and 20 statistically divergent haplotype networks. Phylogenetic analyses for the nuclear loci reflect some degree of allele sharing across the

range of jumping mice, but in general, alleles are well partitioned among species and lineages (Fig. S1, Supporting information).

Intraspecific genetic variation varied among jumping mice for the mtDNA and nDNA data sets. *Napaeozapus insignis* had 28 mtDNA haplotypes with two statistically significant networks (14 steps). Within the *Z. hudsonius* *cytb* data set (1006 bp), there were 102 haplotypes across five networks (12 steps). Intraspecific genetic variation in *Zapus princeps* reflected eight networks (14 steps) and 176 haplotypes and five networks (14 steps) across 31 haplotypes in *Z. trinotatus*.

Within the Northern lineage (see below—includes *Z. h. preblei*), we failed to detect haplotype H from King *et al.* (2006), but their reported sample (YG-9801) is identical to A when using statistical parsimony and phylogenetic reconstruction. We documented four errors in reporting data from King *et al.* (2006). In Douglas Co. Colorado, both haplotypes C and I were reported, but all available data sets reflect only haplotype J at this locality. GenBank does not return haplotypes E or S, but the F and V that were reported to GenBank actually have two distinct haplotypes each (asterisk in Fig. S4, Supporting information). We detected the widespread I haplotype from two new locations plus one previously undetected haplotype in Colorado. Twelve closely related haplotypes were detected in the far north that range from 1 to 4 bp divergent from the central haplotype, and their divergence is comparable to variation within *Z. h. preblei* (i.e. Front Range populations are 1–3 bp divergent, Fig. S4, Supporting information). Further, there are no nDNA bp changes between Front Range populations and those in the far north.

Species-tree estimation and divergence

The taxonomy-based species tree reflected strong support for 21 phylogeographical lineages, but failed to document significant support for all morphologically based subspecies (Fig. 2). Further, the species tree revealed novel intraspecific relationships. For example, past assessments of the validity of *Z. h. preblei* focused on geographically proximate taxa that were assumed to be close phylogenetic relatives (Fig. S2, Supporting information). Instead, far northern (geographically distant) subspecies (i.e. *Z. h. alascensis*, *Z. h. tennellus*, and far western populations of *Z. h. hudsonius*) form a closely related clade with Front Range *Z. h. preblei* (Fig. 2). This widespread lineage diverged from the Southern Plains lineage (*Z. h. campestris*, *Z. h. hudsonius*, *Z. h. intermedius*) at the end of the last glacial period. This new understanding of shared biogeographical history and wide range of closely related haplotypes may alter conservation priorities for Front Range jumping mice.

Demographic tests

Assessments of changes in effective population size N_e were evaluated using both single-locus (mtDNA) and multilocus techniques, with signatures for both generally concordant (Table 2, Fig. S3, Supporting information). Ten lineages experienced significant shifts in N_e . The Northern lineage experienced the most pronounced historical demographic expansion signatures with a nearly 100× increase in effective population size (Table 2, Fig. 1D, Fig S3B, Supporting information), while the Uinta lineage reflected historical demographic declines (Fig. S3C, Supporting information). This lineage also highlights the fallacy of depending on summary statistics alone which fail to detect recent (since LGM) declines. Other lineages show no signal of significant departure from historical population equilibrium (e.g. Southwestern lineage).

Species distribution modelling

Climate-based SDMs were predicted for each lineage and reflect geographically restricted populations with varying degrees of niche overlap, but generally overprediction was minimal (Fig. S2, Supporting information). One exception is the Northern Cascade and Southern Cascade lineages that show niche overlap ($I = 0.875$, $RR = 0.929$), but deep phylogenetic divergence (middle Illinoisan; Fig. 2). Reconstructed SDMs fail to predict separation at the Columbia River. Relative influences of environmental parameters are typically lineage specific (Table S2, Supporting information) but not for the Northern Cascade and Southern Cascade lineages. For

example, mean temperature of driest quarter (Bio9), precipitation of coldest quarter (Bio19) and precipitation seasonality (Bio15) had similar combined contributions (82.7% and 83.2%) for these lineages, a pattern that typifies niche models for recently diverged lineages (e.g. Acadian and Allegheny).

Tests of niche evolution (Warren *et al.* 2008) for populations partitioned by subspecies within the Northern lineage suggest there are minimal environmental (e.g. temperature and precipitation) differences across this wide range (Table 3).






















Conservation prioritization

Key metrics (Table S1, Supporting information; Bradshaw & Brook 2010) that elevate conservation ranking include evolutionary distinctiveness, comparatively low N_e (Table 2, Fig. S3, Supporting information), population declines (historical or contemporary), spatial declines (Table 1), nonoverlapping niches (i.e. ecologically different; Table S2, Supporting information) and existing management concerns (e.g. *Z. h. preblei*). We defined the risk of extinction for all lineages by first establishing evolutionary distinctiveness (Fig. 2). Evolutionary distinctiveness for each lineage was considered by three lines of evidence (species-tree monophyly + mtDNA and at least one nDNA coalescent event + divergence time) then calculating effective population sizes (N_e ; Table 2, Fig. S3, Supporting information), population declines (historical and contemporary), spatial shifts in distribution (Table 1) and overlap in niche space (i.e. ecological interchangeability) among lineages. Risks of extinction ranged from LC (0.0001) to critically endangered (0.999) and were applied in a phylogenetic context to identify conservation priorities. The lineage that includes the federally threatened subspecies *Z. h. preblei* has a low conservation priority score using this approach (Fig. 3), while other lineages without protection are identified as high priority or have a high extinction threat of an evolutionarily divergent lineage.

Discussion

This study highlights how historical biogeography can be used to lay a foundation for conservation action. Across the spectrum of diversity and using comprehensive infraspecific taxon sampling of jumping mice, we document 21 lineages. Some lineages are deeply divergent and have high conservation priority, under a variety of well-established conservation criteria such as small range size, declined ranges since LGM, historically shrinking effective population sizes and/or ongoing anthropogenic pressure that has reduced contemporary populations/ranges. Conversely, most

Table 1 Lineages with associated subspecies, range area (km²) and furthest distributed range (km) using 90% minimum presence threshold for contemporary and last glacial maximum (LGM) median species distribution models (see Fig. 1 and Fig. S2, Supporting information) and updated regional IUCN₁₀₀ scores (IUCN 2003; Isaac *et al.* 2007; Mooers *et al.* 2008) following the ranks-to-extinction probability transformation

Species and lineage	Subspecies	Current km ² area	LGM km ² area	Km range	IUCN ₁₀₀
<i>Napaeozapus insignis</i>					
Acadian 	<i>insignis</i>	499 470	687 711	1486	0.01
Allegheny 	<i>roanensis</i>	450 840	645 627	926	0.667
Canadian 	<i>abietorum fructectanus saguenayensis</i>	990 523	204 610	2329	0.001
<i>Z. hudsonius</i>					
Appalachian 	<i>academicus americanus ladas</i>	907 822	53 898	2744	0.1
Can. Shield 	<i>canadensis</i>	1 505 480	989 855	2080	0.1
Northern 	<i>alascensis preblei tenellus</i>	2 421 006	914 388	4701	0.01
N. Plains 	<i>campestris hudsonius intermedius</i>	2 166 740	1 020 983	2559	0.001
S. Plains 	<i>pallidus</i>	430 561	789 993	958	0.1
Southwestern 	<i>luteus</i>	208 817	429 565	787	0.999
<i>Zapus princeps</i>					
Boreal 	<i>idahoensis saltator</i>	710 746	131 824	2624	0.001
Great Basin 	<i>cinereus curtatus oregonus</i>	206 593	536 630	877	0.1
Great Plains 	<i>minor kootenayensis</i>	624 282	525 904	1703	0.001
La Sal 	<i>chrysogenys</i>	36 [†]	N/A	13	0.667
Okanogan 	Un-described*	38 523	60 880	220	0.1
S. Rockies 	<i>princeps</i>	204 470	473 724	1031	0.01
Uinta 	<i>utahensis</i>	89 441	190 592	596	0.667
<i>Z. trinotatus</i>					
Coastal 	<i>eureka orarius</i>	7861	38 909	481	0.667
N. Cascade 	<i>trinotatus</i>	115 012	356 987	577	0.01
S. Cascade 	<i>montanus</i>	83 659	322 589	473	0.1
N. Sierra 	<i>Z. p. pacificus</i>	29 675	66 584	449	0.1
S. Sierra 	<i>Z. p. pacificus*</i>	14 781	68 989	361	0.1

*Cryptic and undescribed taxa (Himes and Kenagy 2013; Malaney *et al.* in press).

[†]Range area based on georeference and associated uncertainty (Guo *et al.* 2008).






















lineages have relatively low conservation priority, including the federally listed *Z. h. preblei*. This taxon is part of the wide-ranging Northern lineage, composed of closely related populations that presumably expanded north- and westward following the last deglaciation of North America. This widespread set of populations has lower conservation priority than other lineages that are genetically divergent, ecologically distinct and geographically restricted units (i.e. endemic lineages) with molecular signatures indicative of demographic declines (Waples 1991, 1998; Pennock & Dimmick 1997; Winter *et al.* 2013). We suggest that management plans for species-of-concern should, at a minimum, require comprehensive sampling of a species range coupled with phylogeographical analyses to establish a broad spatial and temporal perspective on diversity as a strong foundation for prioritizing conservation efforts. Second, inadequate sampling can lead to a failure to identify and test relevant taxonomic hypotheses and thus fail to rigorously assess signatures of diversification and demography. Third, conservation phylogenetics (Faith 2007) set within a broader lineage-based context that

explicitly integrates historical signatures (e.g. demographic and spatial shifts) and provides a more objective means of prioritizing management efforts (Vane-Wright *et al.* 1991). Finally, museums harbour an irreplaceable wealth of spatiotemporal data for deciphering changing conditions and informing conservation (Moritz *et al.* 2008; Rubidge *et al.* 2012).

Comprehensive sampling reveals intraspecific diversity

A requisite, but often overlooked, first step in any conservation study is establishing the systematic relationships and geographical limits of the taxon of concern (Bradshaw & Brook 2010). A key assumption in systematics is complete taxon sampling (Poe & Swofford 1999; Zwickl & Hillis 2002; Wiens & Morrill 2011) to distinguish among alternative phylogeographical hypotheses (Avice *et al.* 1987; Hewitt 2001; Hickerson *et al.* 2010). Using comprehensive taxon sampling, assessing geographical variation across multiple genes (Brito & Edwards 2009; Edwards 2009) and implementing an integrative approach that includes niche characterization

Table 2 Species and infraspecific taxa, lineage-based molecular diversity indices for 762 mtDNA samples (*cytb* gene)

Species [†] and lineage	N	S	N _h	h	π	K	D	F _s	R ₂
<i>Napaeozapus insignis</i>	31	162	28	0.991	0.0617	70.389			
Acadian 	14	31	13	0.992	0.0045	5.1416	−1.8635*	−9.980**	0.0676*
Allegheny 	2 [‡]		2						
Canadian 	15	29	13	0.971	0.0064	7.2571	−1.0068	−4.661**	0.1007
<i>Z. hudsonius</i>	455	178	102 [§]	0.952	0.0312	31.374			
Appalachian 	21	36	13	0.924	0.0056	6.4095	−1.4093	−2.32	0.1003
Canadian Shield 	2 [‡]		2						
Northern 	182	33	33	0.830	0.0018	1.5670	−2.0939**	−32.556**	0.0244*
N. Plains 	130	50	40	0.866	0.0030	3.0552	−2.0651**	−32.310**	0.0287*
S. Plains 	49	18	9	0.842	0.0030	3.1000	−0.7325	0.442	0.0880
Southwestern 	71	12	8	0.649	0.0023	2.2913	−0.2155	0.587	0.0935
<i>Zapus princeps</i>	223	313	130 [§]	0.992	0.0863	86.778			
Boreal 	62	101	47	0.983	0.0069	7.9038	−2.2426**	−37.499**	0.0334**
Great Basin 	48	83	27	0.959	0.0235	26.8221	1.2550	−3.906*	0.1058
Great Plains 	21	27	16	0.971	0.0036	4.0619	−1.8452*	−9.315**	0.0601*
La Sal 	4 [‡]		3						
Okanogan 	6	2	3	0.733	0.0008	0.8667	−0.0500	−0.427	0.2291
S. Rockies 	42	63	29	0.967	0.0120	12.0260	−0.7304	−7.935*	0.0877
Uinta 	40	61	24	0.971	0.0051	5.8320	−2.1341**	−10.271**	0.0535*
<i>Z. trinitatus</i>	53	167	31	0.970	0.0351	39.964			
Coastal 	7	19	5	0.905	0.0054	6.0950	−1.1987	0.678	0.2366
N. Cascade 	1 [‡]		1						
N. Sierra 	5	11	5	1.000	0.0049	5.6000	0.4362	−1.167	0.1916
S. Cascade 	8	14	5	0.857	0.0052	5.9050	0.1835	0.617	0.1699
S. Sierra 	32	22	15	0.929	0.0025	2.8508	−1.6620*	−6.685**	0.0648*

Indices include segregating sites (S), number of haplotypes (N_h), haplotype (h) and nucleotide (π) diversity, mean nucleotide differences (K), plus population equilibrium tests Tajima's D, Fu's F_s, and Ramos-Onsins and Rozas R₂. *P < 0.05, **P < 0.01.

[†]Species-level demographic tests not conducted (violation of population assumption).

[‡]Sample size <5 and thus not tested for demographic indices.

[§]Smaller values are due to the reduced (1006 bp) data set of King *et al.* (2006)—missing data excluded.

(Franklin 2010; Scoble & Lowe 2010), we uncovered 21 divergent lineages across North American jumping mice (Fig. 2). Generally, lineages differed in niche space (Table S2, Supporting information) and these are interpreted as ecologically unexchangeable. For example, the Uinta lineage (*Z. p. utahensis*) is sufficiently distinctive based on genetic and niche variation to warrant specific status via classic measures (Baker & Bradley 2006; Raxworthy *et al.* 2007; Rissler & Apodaca 2007) and within a generalized lineage context (de Queiroz 2007; Fujita *et al.* 2012). Similarly, using this approach, and accounting for limited morphological variation (Krutzsch 1954), *Z. h. preblei* may be considered synonymous with *Z. h. alascensis* and *Z. h. tenellus*. Further, Ramey *et al.* (2005) concluded and validated by an independent review (Arbogast *et al.* 2006) that there were few morphological differences between *Z. h. campestris*, *Z. h. intermedius* and *Z. h. preblei*. Our multilocus molecular data sets concur with King *et al.* (2006) that the Northern lineage is evolutionarily distinct from Northern Plains jumping mice. Additional tests will be required before

hypotheses of infraspecific taxonomic synonymy can be implemented.

Considering the deep divergences of some lineages and shallow divergences of others, a revised taxonomy of the group is needed but is outside the context of this study. However, we suggest that jumping mice taxonomy (Hall 1981; Holden & Musser 2005) under-represents species-level variation with both phylogenetic and niche data sets reflecting substantial unrecognized differentiation. Consequently, in the interim, management should focus on lineages as the requisite backdrop to conservation action. Populations along the Front Range (King *et al.* 2006) should be carefully compared with recently diverged northern populations, and several other deeply divergent zapodid lineages require further assessment and monitoring.

Both the morphologically based taxonomy (Krutzsch 1954; Holden & Musser 2005) and previous molecular studies of Preble's jumping mice (Ramey *et al.* 2005; King *et al.* 2006) assumed that spatially adjacent subspecies were most closely related, leading to limited

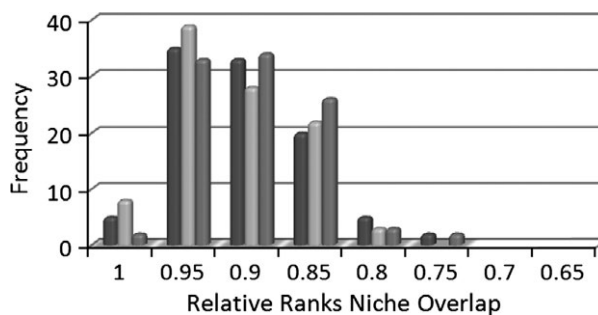
sampling of taxa (1/2 subspecies) and geographical breadth (<1/3 *Z. hudsonius* range) as the basis for the federal listing (Crifasi 2007). In this case, spatially proximal subspecies are not necessarily closely related. *Zapus h. preblei* was described in 1954 based on four adult specimens (Kruttsch 1954). Although diagnostic morphological characters (Kruttsch 1954) broadly overlap with northern subspecies (i.e. *Z. h. alascensis* and *Z. h. tenellus*), those subspecies were never directly compared, likely due to their tremendous geographical distance from the southern Rocky Mountain populations. Instead, taxonomic evaluation of the jumping mice (Ramey *et al.* 2005, 2007; King *et al.* 2006; Vignieri *et al.* 2006) compared southern Rocky Mountains with adjacent plains and southern subspecies (i.e. *Z. h. preblei* against *Z. h. campestris*, *Z. h. intermedius*, *Z. h. luteus*, *Z. h. pallidus*). This study reinforces the need to assess evolutionary variation within a comprehensive historical-biogeographical context, as a first step in evaluating conservation status (Moritz 1995, 2002; Avise 2008; Colleen *et al.* 2011) or exploring other processes (Crandall *et al.* 2000; Rader *et al.* 2005). Further, observations of morphological similarity across jumping mice were part of the basis for a proposal to remove recognition of all *Z. hudsonius* subspecies (Jones 1981), but that conclusion was not incorporated in a formal taxonomic revision. Our tests of adaptive niche variation are across multiple populations of the Northern lineage and showed no statistically significant abiotic ecological differences (Table 3). Taxonomic re-evaluation should include a set of tests that encompasses the emerging historical-biogeographical perspective and more finely assesses hypotheses of both evolutionary independence and adaptive variation.

Signatures of diversification and demography

Bayesian skyline analyses were used to assess historic demographic signals (Fig. 1D) and integrated with niche-based approaches to reveal spatial shifts since the LGM (latitudinal, longitudinal or elevational) that can be characterized as four general models. (i) *Demographic Expansion* (Lessa *et al.* 2003; Excoffier *et al.* 2009) and *Spatial* (latitudinal) *Expansion*. The genetic signatures of Acadian, Appalachian, Boreal, Canadian, Great Plains, Northern (including *Z. h. preblei*) and the Northern Plains lineage (Table 2, Fig. 1D) significantly deviate from neutrality (Ramos-Onsins & Rozas 2002) with comparatively lower nucleotide diversity, increased haplotype diversity (Excoffier *et al.* 2009) and recent population increases (Fig. S3, Supporting information; Drummond *et al.* 2005; Heled & Drummond 2008). Further, each lineage reflects spatial expansion from disjunct late Pleistocene ancestral ranges (Fig. 1C, Table 1, Fig. S2, Supporting

Table 3 Measures of niche overlap (ecological exchangeability), Warren's *I* and relative ranks (RR) between subspecies comprising the Northern lineage

Northern lineage taxa pairs	<i>I</i>	RR
<i>Z. h. alascensis</i> vs. <i>Zapus hudsonius preblei</i>	0.7493	0.9665
<i>Z. h. alascensis</i> vs. <i>Z. h. tenellus</i>	0.8657	0.9604
<i>Z. h. preblei</i> vs. <i>Z. h. tenellus</i>	0.8444	0.9669



Values near 1.0 are considered identical or highly interchangeable vs. near 0.0 are considered completely different or not interchangeable. Significance (niche identity) tests were conducted with 100 pseudoreplicates of randomized localities for paired taxa, but no comparison was significantly different, suggesting that niche space is analogous across all taxa pairs (graph). Jumping mice populations along the Front Range appear to be ecologically exchangeable with populations in the far north.

information). (ii) *Demographic and Spatial Contraction* (Arenas *et al.* 2012). Conversely, the low-latitude and montane-associated Great Basin, Northern Sierra, Okanogan, Southern Cascades, Southern Rockies and the Uinta lineages reflect signatures of demographic stasis or reduction with concordant spatial contraction during Holocene warming. (iii) *Demographic Expansion with Elevational Shift*. The Southern Sierra lineage recently experienced demographic expansion to higher elevations (not latitudes) since the LGM (Malaney *et al.* in press). (iv) *Demographic Stability but Spatial Shift* (Malaney *et al.* 2012). Finally, the Coastal, Southern Plains and the Southwestern lineage shifted from ancestral ranges, but experienced no significant demographic change. The commonality of these four signatures should be evaluated in other north temperate organisms (Carstens & Richards 2007; Gutierrez-Garcia & Vazquez-Dominguez 2011).

The Northern lineage is representative of Model (i). This lineage extends from Colorado northwest to the Alaskan Peninsula (Fig. 1A), a distance of >4700 km and the broadest distributional range of all jumping mice (Table 1). Among 16 lineages with >5 haplotypes, the Northern lineage has high haplotype diversity (*h*)

coupled with low nucleotide diversity (π) and the fewest nucleotide differences (K). Together (Table 2), these metrics are suggestive of recent demographic growth (Lessa *et al.* 2003; Excoffier *et al.* 2009). Further, populations across this wide range appear ecologically interchangeable (i.e. occupy equivalent niche space, Table 3). Fossils dated to the Late Pleistocene from the Great Plains coincide with the paleodistribution models (Fig. 1C, Fig. S2 Supporting information; Kurtén & Anderson 1980) with the hind-cast narrow range agreeing with low-density ancestral effective population sizes (Table 2, Fig. 1D, Fig. S3 Supporting information). Collectively, these signatures suggest that during the early Holocene as glaciers retreated, ancestors of the Northern lineage may have tracked suitable conditions westward from the Great Plains to regions along the Front Range of the Southern Rockies (Ramey *et al.* 2005; King *et al.* 2006; Vignieri *et al.* 2006) and northward to Alaska. Northward expansion signatures were detected in six other jumping mice lineages (Table 2), mirroring a common process (Hewitt 2000, 2004; Lessa *et al.* 2003; Excoffier *et al.* 2009). However, no other zapodid reflects demographic expansion metrics near the magnitude ($\sim 100\times$) of the Northern lineage (Table 2; Fig. S3, Supporting information).

Conservation prioritization

Over 75% (16/21) of jumping mice lineages rank higher in the EDGE conservation priority than the Northern lineage (Fig. 3). Furthermore, the seven lineages (Acadian, Appalachian, Boreal, Canadian, Great Plains, Northern and Northern Plains) that experienced Model (i) (i.e. Demographic and Spatial Expansion) are among the lowest conservation priorities (Fig. 3). Each of these lineages are recently diverged (Fig. 2, since Late Pleistocene), have wide ranges that spatially expanded since LGM, reflect comparatively large N_e and experienced recent demographic growth (Table 2; Fig. S3, Supporting information). Combined, these metrics and regionally updated IUCN scores suggest that these lineages are LC. Despite these metrics and careful consideration of the ongoing management concerns along the Front Range of Colorado and Wyoming, we instead used the near threatened criterion (Fig. 3) for the Northern lineage.

In contrast to Model (i), lineages that are endemic to southern mountains and mesic coasts have remained relatively stable over glacial cycles (Model iv) or moved to higher elevations (Model ii & iii). Signatures of these histories are preserved as accrued genetic variation and ecological differentiation. These signatures demonstrate that climate-mediated demographic histories (Hugall *et al.* 2002; Moritz *et al.* 2005; Carnaval *et al.* 2009) are

mirrored in genes and niches. The five jumping mice lineages with highest extinction threat over the next century (Fig. 3) are endemic to low-latitude montane regions (Allegheny, La Sal, Southwestern, and Uinta) and the Redwood Coast of California (Coastal). Among these, the neoendemic Southwestern lineage (USFWS candidate *Z. h. luteus*) has an order of magnitude higher conservation priority (Fig. 3) than the Northern lineage (using IUCN₁₀₀; Mooers *et al.* 2008). The Allegheny (*N. i. roanensis*) lineage, two populations of the narrow-ranged La Sal lineage (*Z. p. chrysogenys*), the historically contracting Uinta lineage (*Z. p. utahensis*) and relict populations of the Coastal lineage in California (*Z. t. eureka* + *Z. t. orarius*) have no protective status. Thus, existing management plans primarily targeting *Z. h. preblei* may be missing key and divergent units of evolutionary and biogeographical history. An integrative approach to conservation of zapodids should target distinct lineages at higher risk of extinction, particularly those that are endemic to regions with critical land use issues that are projected to worsen (Thomas *et al.* 2004). Shrinking mesic habitats at lower latitudes are due to the synergy (Mantyka-Pringle *et al.* 2011) between climate change (McDonald & Brown 1992; Thomas *et al.* 2004; Ackerly *et al.* 2010) and anthropogenic fragmentation (Andren 1994) that may precipitate jumping mice declines (Frey & Malaney 2009; Malaney *et al.* 2012). Conversely, high-latitude lineages of zapodids are the result of expanded ranges during the warming phase of the Holocene epoch (Lessa *et al.* 2003) and generally have lower extinction risk because of more limited human use of these landscapes.

Collectively, these data may counter the proposed listing of *Z. h. preblei* under the ESA (ESA 1973; Haig *et al.* 2006) based on traditional measures of extinction threat such as rarity and limited range size of an ecologically and genetically discrete taxon (Rabinowitz 1981; Yu & Dobson 2000). Conservation efforts targeting jumping mice within the Front Range of Colorado and Wyoming (USFWS 2003) should be carefully re-evaluated in the light of the projected wide distribution of the Northern lineage. Localized population declines, as reported for *Z. h. preblei* (USFWS 2002; Meaney *et al.* 2003; Trainor *et al.* 2007), are problematic for mesic-associated organisms throughout the xeric environments of the west (Frey & Malaney 2009). Analyses herein identified other lineages with higher conservation priority, reinforcing the premise that management efforts should first identify and preserve the most ecologically and evolutionarily divergent units (May *et al.* 2011). Furthermore, these results suggest management action should not rely principally on antiquated taxonomy (Gippoliti & Amori 2007), but instead emphasize ecological distinction and evolutionary history.

Specimen-based conservation remains undervalued

Finally, we highlight that museum collections directly facilitate and inform conservation efforts by providing temporal, spatial and taxonomic breadth of samples. Integrative conservation analyses directly depend on widespread specimen representation in two phases: georeferenced occurrence records to develop SDMs (Graham *et al.* 2004; Elith *et al.* 2006) and high-quality specimens that preserve tissues and morphological features. Specimens link genes to the phenotype and the organism to the environment providing the necessary framework to refine the understanding of how phenotypes are interacting with changing conditions. Analyses that are spatiotemporally anchored by fossil specimens further underscore the value of integration across independent data sets to build robust taxonomies (Fujita *et al.* 2012) and falsifiable measures of diversity, critical for any conservation effort (Isaac *et al.* 2004).

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Both authors conceived the ideas, contributed to the analyses and interpretation of the results and wrote the manuscript.

Data accessibility

DNA sequences: GenBank accessions are linked to the Arctos Database see online Supporting information.

Sequence alignments and down-sampled SDM sample locations: Dryad entry doi: 10.5061/dryad.rq412.

Supporting information

Additional supporting information may be found in the online version of this article.

Fig. S1 Bayesian gene trees with posterior probabilities indicated on branches next to supported nodes (●).

Fig. S2 Subspecies (32 taxa) taxonomy and species distribution models (current & LGM) for 21 lineages of North American jumping mice (see Table 1).

Fig. S3 Bayesian skyline plots (mtDNA) for North American jumping mice lineages showing effective population size (scaled by mutation rate) plotted as a function of time.

Fig. S4 (A) Northern lineage, mtDNA cytochrome *b* gene haplotype network via statistical parsimony (Templeton *et al.* 1992; Clement *et al.* 2000). This dataset was spatially and taxonomically sampled (B) and reveals recent demographic expansion to the Front Range of the southern Rockies and the far North for the Northern lineage.

Fig. S5 Species tree without mtDNA dataset.

Table S1 Conservation phylogenetics, within a broader coalescent framework, was used to define priority scores by updating regional IUCN scores and then ranking divergent jumping mice lineages.

Table S2 (a–d) Bioclimatic variables ranked according to their overall model contribution, highest, lowest, and decreased gain based on a jackknife test of variable importance, plus mean area under receiver operating curve (AUC) and standard deviation from 20 replicate Maxent runs for the North American jumping mice lineages, separated by nominal species.

Table S3 Molecular data, character variation, and nucleotide substitution model selected using Bayesian Information Criterion (BIC) for 92 samples of North American jumping mice.

Attachment 2



PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. Don Brown
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Brown:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

Delisting is warranted because the best available scientific data show that the mouse's subspecies designation is based on unsound taxonomy. Published, peer-reviewed analysis of the available data demonstrate that the populations within the putative Preble's mouse subspecies actually belong to one of the largest and most widespread genetic lineages of North American jumping mice. See Jason L. Malaney & Joseph A. Cook, *Using biogeographical history to inform conservation: the case of Preble's meadow jumping mouse*, 22 MOLECULAR ECOLOGY 6000-17 (2013) (enclosed). No basis exists to continue to apply the Act's protections to the Preble's mouse as a separate subspecies. Accordingly, upon the expiration of the thirty-day notice period, Petitioners will petition the Secretary and the Service to delist the mouse.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "Damien M. Schiff".

DAMIEN M. SCHIFF
Principal Attorney

Enclosure

cc: See attached Declaration of Service

HEADQUARTERS: 930 G Street | Sacramento, CA 95814 | (916) 419-7111 | FAX (916) 419-7747
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PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. Bob Randall
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Randall:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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DAMIEN M. SCHIFF
Principal Attorney

Enclosure

cc: See attached Declaration of Service

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PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. Alexander Zipp
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Zipp:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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Yours sincerely,

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DAMIEN M. SCHIFF
Principal Attorney

Enclosure

cc: See attached Declaration of Service



PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. Robert "Dean" Wingfield
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Wingfield:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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DAMIEN M. SCHIFF
Principal Attorney

Enclosure

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PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. James Vigil
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Vigil:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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Yours sincerely,

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DAMIEN M. SCHIFF
Principal Attorney

Enclosure

cc: See attached Declaration of Service

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PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. Dale E. Pizel
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Pizel:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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Yours sincerely,

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DAMIEN M. SCHIFF
Principal Attorney

Enclosure

cc: See attached Declaration of Service

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PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. William G. Kane
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Kane:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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DAMIEN M. SCHIFF
Principal Attorney

Enclosure

cc: See attached Declaration of Service

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PACIFIC LEGAL FOUNDATION

February 3, 2017

Ms. Jeanne Horne
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Ms. Horne:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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Yours sincerely,

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DAMIEN M. SCHIFF
Principal Attorney

Enclosure

cc: See attached Declaration of Service

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PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. Chris Castilian
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Castilian:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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Yours sincerely,

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DAMIEN M. SCHIFF
Principal Attorney

Enclosure

cc: See attached Declaration of Service

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PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. Robert W. Bray
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Bray:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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Yours sincerely,

DAMIEN M. SCHIFF

Principal Attorney

Enclosure

cc: See attached Declaration of Service



PACIFIC LEGAL FOUNDATION

February 3, 2017

Ms. Michelle Zimmerman
Secretary
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Ms. Zimmerman:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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Yours sincerely,

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DAMIEN M. SCHIFF
Principal Attorney

Enclosure

cc: See attached Declaration of Service

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PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. John V. Howard
Vice Chair
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Howard:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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DAMIEN M. SCHIFF

Principal Attorney

Enclosure

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PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. James C. Pribyl
Chair
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Pribyl:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

Delisting is warranted because the best available scientific data show that the mouse's subspecies designation is based on unsound taxonomy. Published, peer-reviewed analysis of the available data demonstrate that the populations within the putative Preble's mouse subspecies actually belong to one of the largest and most widespread genetic lineages of North American jumping mice. See Jason L. Malaney & Joseph A. Cook, *Using biogeographical history to inform conservation: the case of Preble's meadow jumping mouse*, 22 MOLECULAR ECOLOGY 6000-17 (2013) (enclosed). No basis exists to continue to apply the Act's protections to the Preble's mouse as a separate subspecies. Accordingly, upon the expiration of the thirty-day notice period, Petitioners will petition the Secretary and the Service to delist the mouse.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "Damien Schiff".

DAMIEN M. SCHIFF
Principal Attorney

Enclosure

cc: See attached Declaration of Service



PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. Bob Broscheid
Director
Colorado Parks and Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Broscheid:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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DAMIEN M. SCHIFF

Principal Attorney

Enclosure

cc: See attached Declaration of Service

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ALASKA: 121 West Fireweed Lane, Suite 250 | Anchorage, AK 99503 | (907) 278-1731 | FAX (907) 276-3887
ATLANTIC: 8645 N. Military Trail, Suite 511 | Palm Beach Gardens, FL 33410 | (561) 691-5000 | FAX (561) 691-5006
HAWAII: P.O. Box 3619 | Honolulu, HI 96811 | (808) 733-3373 | FAX (808) 733-3374 OREGON: (503) 241-8179
WASHINGTON: 10940 NE 33rd Place, Suite 210 | Bellevue, WA 98004 | (425) 576-0484 | FAX (425) 576-9565

E-MAIL: plf@pacificlegal.org
WEB SITE: www.pacificlegal.org



PACIFIC LEGAL FOUNDATION

February 3, 2017

Ms. T. Carrie Little
President
Wyoming Game and Fish Commissioner
P.O. Box 166
Leiter, WY 82837

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Ms. Little:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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Yours sincerely,

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DAMIEN M. SCHIFF
Principal Attorney

Enclosure

cc: See attached Declaration of Service

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PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. Keith Culver
Vice President
Wyoming Game and Fish Commissioner
P.O. Box 296
Newcastle, WY 82701

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Culver:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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Yours sincerely,

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DAMIEN M. SCHIFF
Principal Attorney

Enclosure

cc: See attached Declaration of Service

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PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. Charles C. Price
Wyoming Game and Fish Commissioner
P.O. Box 375
Daniel, WY 83115

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Price:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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DAMIEN M. SCHIFF

Principal Attorney

Enclosure

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PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. Mark Anselmi
Wyoming Game and Fish Commissioner
1630 Elk Street
Rock Springs, WY 82901

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Anselmi:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. Patrick J. Crank
Wyoming Game and Fish Commissioner
1815 Evans Avenue
Cheyenne, WY 82001

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Crank:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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PACIFIC LEGAL FOUNDATION

February 3, 2017

Mr. Scott Talbott
Director
Wyoming Game and Fish Department
5400 Bishop Blvd.
Cheyenne, WY 82006

Re: Notice of intent to file a petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Talbott:

Pursuant to 50 C.F.R. § 424.14(b), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs provide notice of their intent to file a petition with the Secretary of the Interior and the United States Fish and Wildlife Service to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544.

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DAMIEN M. SCHIFF

Principal Attorney

Enclosure

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DECLARATION OF SERVICE

I, Tawnda Elling, declare as follows:

I am a resident of the State of California, residing or employed in Sacramento, California.

I am over the age of 18 years and am not a party to the above-entitled action.

My business address is 930 G Street, Sacramento, California 95814.

On February 3, 2017, true copies of NOTICE OF INTENT TO FILE A PETITION TO
DELIST THE PREBLE'S MEADOW JUMPING MOUSE (*ZAPUS HUDSONIUS PREBLEI*)
UNDER THE ENDANGERED SPECIES ACT were placed in envelopes addressed to:

Mr. Bob Broscheid
Director
Colorado Parks and Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Mr. Scott Talbott
Director
Wyoming Game and Fish Department
5400 Bishop Blvd.
Cheyenne, WY 82006

Ms. T. Carrie Little
President
Wyoming Game and Fish Commissioner
P.O. Box 166
Lester, WY 82837

Mr. Keith Culver
Vice President
Wyoming Game and Fish Commissioner
P.O. Box 296
Newcastle, WY 82701

Mr. Charles C. Price
Wyoming Game and Fish Commissioner
P.O. Box 375
Daniel, WY 83115

Mr. Mark Anselmi
Wyoming Game and Fish Commissioner
1630 Elk Street
Rock Springs, WY 82901

Mr. Patrick J. Crank
Wyoming Game and Fish Commissioner
1815 Evans Avenue
Cheyenne, WY 82001

Mr. James C. Pribyl
Chair
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

And via email: james.pribyl@state.co.us

Mr. John V. Howard
Vice Chair
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

And via email: john.howard@state.co.us

Ms. Michelle Zimmerman
Secretary
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

And via email: michelle.zimmerman@state.co.us

Mr. Robert W. Bray
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

And via email: robert.bray@state.co.us

Mr. Chris Castilian
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

And via email: chris.castilian@state.co.us

Ms. Jeanne Horne
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

And via email: jeanne.horne@state.co.us

Mr. William G. Kane
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

And via email: bill.kane@state.co.us

Mr. Dale E. Pizel
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

And via email: dale.pizel@state.co.us

Mr. James Vigil
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

And via email: jim.vigil@state.co.us

Mr. Robert "Dean" Wingfield
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

And via email: dean.wingfield@state.co.us

Mr. Alexander Zipp
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

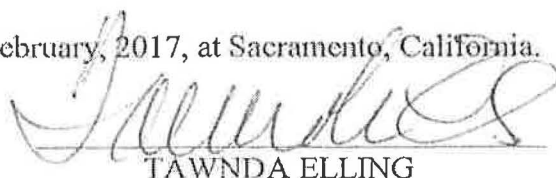
And via email: alex.zipp@state.co.us

Mr. Bob Randall
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

Mr. Don Brown
Colorado Parks & Wildlife
1313 Sherman Street, Sixth Floor
Denver, CO 80203

which envelopes, with postage thereon fully prepaid, were then sealed and deposited in a mailbox regularly maintained by the United States Postal Service in Sacramento, California.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 3rd day of February, 2017, at Sacramento, California.


TAWNDA ELLING



PACIFIC LEGAL FOUNDATION

March 29, 2017

The Honorable Ryan Zinke
Secretary
U.S. Department of Interior
1849 C Street NW
Washington, DC 20240

Re: Petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Mr. Secretary:

Pursuant to 16 U.S.C. § 1533(b)(3) and 50 C.F.R. § 424.14(a), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs hereby petition to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544. In accordance with 50 C.F.R. § 424.14(b), Petitioners have given more than 30 days notice of their intent to file this petition to the pertinent Colorado and Wyoming wildlife agencies and officials.

As shown in the enclosed petition, delisting is warranted because the best available scientific data reveal that the Preble's mouse's subspecies designation is based on unsound taxonomy. Published, peer-reviewed analysis of the available data demonstrate that the populations within the putative Preble's mouse subspecies actually belong to one of the largest and most widespread genetic lineages of North American jumping mice. See Jason L. Malaney & Joseph A. Cook, *Using biogeographical history to inform conservation: the case of Preble's meadow jumping mouse*, 22 MOLECULAR ECOLOGY 6000-17 (2013) (enclosed). No basis exists to continue to apply the Act's protections to the Preble's mouse as a separate subspecies. Accordingly, the mouse should be delisted.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Damien Schiff".

DAMIEN M. SCHIFF
Senior Attorney

Enclosure

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LIBERTY CLINIC: Chapman University, Fowler School of Law | 1 University Drive | Orange, CA 95866 | (714) 591-0490

ALASKA: (907) 278-1731 | OREGON: (503) 241-8179

E-MAIL: plf@pacificlegal.org

WEB SITE: www.pacificlegal.org



PACIFIC LEGAL FOUNDATION

March 29, 2017

The Honorable Jim Kurth
Acting Director
U.S. Fish & Wildlife Service
1849 C Street NW, Room 3331
Washington, DC 20240

Re: Petition to delist the Preble's meadow jumping mouse
(*Zapus hudsonius preblei*) under the Endangered Species Act

Dear Director Kurth:

Pursuant to 16 U.S.C. § 1533(b)(3) and 50 C.F.R. § 424.14(a), Petitioners Dr. Rob Roy Ramey II, Center for Environmental Science, Accuracy & Reliability, Wyoming Stock Growers Association, Colorado Cattlemen's Association, Colorado Association of Home Builders, and Housing & Building Association of Colorado Springs hereby petition to delist the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) from the list of threatened wildlife, 50 C.F.R. § 17.11(h), under the Endangered Species Act, 16 U.S.C. §§ 1531-1544. In accordance with 50 C.F.R. § 424.14(b), Petitioners have given more than 30 days notice of their intent to file this petition to the pertinent Colorado and Wyoming wildlife agencies and officials.

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