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Desert Bald Eagle Returns to Endangered Species List

As a result of a recent court order, bald eagles in the Sonoran Desert of central Arizona are again protected as “threatened” under the Endangered Species Act. The U.S. Fish and Wildlife Service published the special rule announcing the protected status in the (insert date) Federal Register.

On March 6, 2008, the U.S. District Court for the District of Arizona amended the Service’s July 9, 2007, final rule which removed eagle populations nationwide from the federal list of threatened and endangered species. The court reversed the delisting for bald eagles in the Sonoran Desert area of central Arizona and as of March 6, 2008, bald eagles in the Sonoran Desert area of central Arizona were again listed as a threatened species under a special rule.

The court also ordered the Service to: 1) conduct a status review to determine whether recognizing the Sonoran Desert bald eagle population as a Distinct Population Segment (DPS) is warranted, and if so, whether listing the DPS as threatened or endangered pursuant to the Endangered Species Act is warranted; and 2) issue by December 5, 2008 a 12-month finding on whether recognizing the Sonoran Desert bald eagle population as a DPS is warranted, and if so, whether listing the DPS as threatened or endangered is warranted. Under the court order, bald eagles in the Sonoran Desert area of central Arizona will remain listed as a threatened species through this special rule. This court order does not affect the status of bald eagles elsewhere in its range.

This rulemaking is necessary to comply with the March 6, 2008, court order. Therefore, under these circumstances, the Director of the Fish and Wildlife Service has determined, pursuant to 5 U.S.C.553(b), that prior notice and opportunity for public comment are impractical and unnecessary.

For a description of the area in central Arizona in which the bald eagle is protected, or for further information on this court order and bald eagle recovery in the U.S., please visit <http://www.fws.gov/migratorybirds/baldeagle.htm>.

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving the nature of America. For more on the Service and its commitment to scientific excellence, stewardship of lands and natural resources, cooperative conservation, and public service, visit www.fws.gov