



News Release

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Service Designates Critical Habitat for Endangered Southwestern Bird

The U.S. Fish and Wildlife Service published today a final rule designating 737 miles of waters within the 100-year floodplain in California, Arizona, Nevada, Utah, and New Mexico as critical habitat for an endangered migratory bird, the southwestern willow flycatcher. The designation identifies the stream- and lake-edge habitats that are believed essential to help recover the species.

Impacts associated for all flycatcher conservation efforts in the proposed designated areas, not just those exclusively associated with habitat designation, are estimated to range from \$29.2 million to \$39.5 million annually, and include costs associated with the listing of the species under the Endangered Species Act for the designated areas.

The final designation is a 53 percent reduction in river miles and a 68 percent reduction in acreage from a proposal prepared last year. (NOTE – a list of the exclusions is attached.)

“While a few areas were excluded because they were not essential habitats, most of the areas are already protected under some form of agreements,” said Larry Bell, acting Deputy Regional Director of the Service’s Southwest Region. “We do not add the designation to those places where we are assured the bird’s habitat is being enhanced by positive conservation measures.”

Many areas identified as eligible for designation were excluded from final critical habitat designation as they are already protected by conservation management plans. There are over sixteen conservation plans already established to provide protections and assurances that the conservation measures for the species will be implemented and effective.

“Information supplied by individuals and groups during the comment period was essential in evaluating and finalizing critical habitat areas,” said Bell.

Critical habitat was designated along the streams, rivers, wetlands and reservoirs. The 5 ¾-inch flycatcher builds nests in the dense vegetation lining wet areas in the arid Southwest. It breeds and rears its chicks in late spring through the summer in the United States. The flycatcher migrates to Mexico, Central and possibly northern South America for winter.

Critical habitat is a term in the Endangered Species Act. It identifies geographic areas that contain features essential for the conservation of a threatened or endangered species and that may require special management considerations or protection. The designation of critical habitat does not affect land ownership

or establish a refuge, wilderness, reserve, preserve, or other conservation area. It does not allow government or public access to private lands.

The critical habitat designation includes locations that support ten or more flycatcher territories or which provide opportunities for nesting birds to access other flycatcher populations. Dispersing to other territories ensures that birds can expand into other locales and maintain genetic flow among territories, providing overall population stability. The locations designation also provides migration stopover habitats and habitat for non-breeding and dispersing southwestern willow flycatchers.

The flycatcher was added to the endangered species list in 1995 as its populations declined due to habitat loss resulting from river and water management practices; agricultural, residential and urban development; recreation; and livestock and wild, hoofed animals overgrazing in breeding habitat; as well as the threat of the expanded range of the cowbird, which parasitizes songbird nests.

This is the second time the Service has designated critical habitat for the southwestern willow flycatcher. This critical habitat designation was completed in compliance with a Sept. 30, 2003, opinion issued by the District Court of New Mexico (Center for Biological Diversity v Norton, (iv. No. 02-1067 LH/RHS (D.N.M))). The court assigned a schedule whereby the Service would arrive at a final determination by Sept. 30, 2005.

In 30 years of implementing the Endangered Species Act, the Service has found that the designation of critical habitat provides little additional protection to most listed species, while preventing the Service from using scarce conservation resources for activities with greater conservation benefits.

In almost all cases, recovery of listed species will come through voluntary cooperative partnerships, not regulatory measures such as critical habitat. Habitat is also protected through cooperative measures under the Endangered Species Act including Habitat Conservation Plans, Safe Harbor Agreements, Candidate Conservation Agreements and state programs. In addition, voluntary partnership programs such as the Service's Private Stewardship Grants and Partners for Fish and Wildlife program also restore habitat. Habitat for endangered species is provided on many national wildlife refuges, managed by the U.S. Fish and Wildlife Service and state wildlife management areas.

A copy of the final rule, economic analysis, and other information about the southwestern willow flycatcher critical habitat and recovery planning are available at <http://arizonaes.fws.gov> or by contacting the Field Supervisor at the Arizona Ecological Services Field Office, 2321 W. Royal Palm Rd., Ste 103, Phoenix, AZ 85021.

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 95-million-acre National Wildlife Refuge System which encompasses 545 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 69 national fish hatcheries, 64 fishery resource offices and 81 ecological services field stations. The agency enforces Federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign governments with their conservation efforts. It also oversees the Federal Aid program that distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to State fish and wildlife agencies.

<http://arizonaes.fws.gov>

NOTE TO EDITORS: Photographs of the southwestern willow flycatcher, critical habitat fact sheets and maps, and relevant documents are available at http://arizonaes.fws.gov/image_library.htm and <http://arizonaes.fws.gov/southwest.htm>.