



# News Release

Southwest Region

P.O. Box 1306

Albuquerque, NM 87103

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Contact: Vicki Fox, 505-248-6911  
Elizabeth Slown, 505-248-6909

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## Critical Habitat Proposed for Mexican Spotted Owl

In response to a court order, the U.S. Fish and Wildlife Service is requesting public comment on a proposed designation of nearly 13.5 million acres of Federal and Tribal lands in Arizona, Colorado, New Mexico, and Utah as critical habitat for the threatened Mexican spotted owl under the Endangered Species Act.

Critical habitat refers to specific geographic areas that are essential for the conservation of a threatened or endangered species and that may require special management considerations. These areas do not necessarily have to be occupied by the species at the time of designation. A critical habitat designation does not set up a preserve or refuge and only applies to situations where Federal funding, authorization or permits are involved. It has no impact on private landowners taking actions on their land that do not involve Federal funding, authorization, or permits.

Ninety percent of the area proposed for designation is on Federal lands while 10 percent is on Tribal lands. The proposal includes no state or private lands.

“While the Service is proposing 13.5 million acres of critical habitat for the Mexican spotted owl, not all the areas within those broad boundaries have habitat elements important to the owl,” said Nancy Kaufman, the Service’s Regional Director for the Southwest Region. “The Service will require consultations only in those areas that contain the physical and biological features necessary for the species’ survival. Existing towns and other developed areas would not be considered critical habitat.”

Under other provisions of the Act, Federal agencies have been consulting with the Service on the impact of their actions on the Mexican spotted owl since the species was listed in 1993. Based on the results of those consultations, the Service does not expect the proposed designation of critical habitat to affect activities such as thinning trees less than 9 inches in diameter; fuels reduction to reduce the risk of wildfire; “personal use” commodity production such as fuel wood, latillas and vigas, and Christmas tree cutting; livestock grazing in upland habitats; and most recreation activities including hiking, camping, fishing, hunting, cross-country skiing, off-road vehicle use, and various wildlife observation activities.

“The Service will make a final decision on the proposal only after considering the economic impacts and receiving input from the public,” Kaufman said.

Earlier this year, the District Court of New Mexico in *Southwest Center for Biological Diversity and Silver v. Babbitt and Clark* directed the Service to complete its proposal within four months and publish the final rule designating critical habitat by January 15, 2001.

The Service previously published a final rule designating critical habitat for the Mexican spotted owl on June 6, 1995, but the designation was later set aside for failure to comply with the National Environmental Policy Act.

The Mexican spotted owl is a medium-sized bird with dark eyes, dark to chestnut brown coloring, whitish spots on the head and neck and white mottling on the abdomen and breast. Of the three subspecies of spotted owl occurring in the United States, the Mexican spotted owl has the largest geographic range. It lives in canyon and mountain forest habitats across a range that extends from southern Utah and Colorado, through Arizona, New Mexico, and west Texas, to the mountains of central Mexico. The owl occupies a fragmented distribution throughout its United States range corresponding to the availability of forested mountains and canyons, and, in some cases, rocky canyon lands.

The Service cited two primary reasons for the owl's decline when it listed the species as threatened in 1993: historical alteration of its habitat as the result of timber management practices, specifically the use of even-aged silviculture; and the danger of a catastrophic wildfire.

The Service published the proposed designation of critical habitat for the Mexican spotted owl in today's *Federal Register* and is seeking data and comments from the public and all interested parties on all aspects of this proposal, including data on economic and other impacts of the designation. The Service is conducting an analysis of the economic and other relevant impacts of this proposal, and will provide a draft of that analysis for public review and comment during the 60-day public comment period.

The Service will also consider all comments received from interested parties by September 21, 2000. The public should send comments on this proposed rule, the draft Economic Analysis, and draft Environmental Assessment to the New Mexico Ecological Services Field Office, 2105 Osuna Road NE, Albuquerque, New Mexico 87113. The file for this rule will be available for public inspection, by appointment, during normal business hours at the New Mexico Ecological Services Field Office, 2105 Osuna Road NE, Albuquerque, New Mexico 87113.

In addition, public hearings are scheduled to be held in these locations from 6:30 to 9 p.m.:

- August 14-Santa Fe, New Mexico  
  
Morgan Hall at the New Mexico State Land Office.
- August 15-Las Cruces, New Mexico  
Dona Ana Room, New Mexico State University.
- August 16-Tucson, Arizona  
Louis Rich Theater, Tucson Convention Center.
- August 17th-Flagstaff, Arizona  
Flagstaff High School Main Auditorium.
- August 21-Colorado Springs, Colorado

- August 23-Cedar City, Utah  
Southern Utah University, The Great Hall.

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 93-million-acre National Wildlife Refuge System which encompasses more than 520 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 66 national fish hatcheries, 64 fishery resource offices and 78 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.