



News Release

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CACTUS FERRUGINOUS PYGMY-OWL DOES NOT WARRANT ENDANGERED SPECIES ACT PROTECTION

Following an extensive status review of the cactus ferruginous pygmy-owl, the U.S. Fish and Wildlife Service (Service) announced today that the cactus ferruginous pygmy-owl does not warrant federal protection as a threatened or endangered species under the Endangered Species Act (ESA). The status review thoroughly analyzed all currently available taxonomic, distribution, and threats information. The Service found that the pygmy-owl is not in danger of extinction now, nor is it likely to become endangered within the foreseeable future, throughout all or any significant portion of its range.

“The Endangered Species Act provides a number of categories by which we evaluate whether a species, subspecies, population or entity can be considered for protection,” said Steve Spangle, the Service’s Arizona field supervisor. “We evaluated every potentially-listable configuration of the pygmy-owl and concluded that it doesn’t warrant listing under the Act.”

In 2007, Defenders of Wildlife and the Center for Biological Diversity (petitioners), presented new information on genetics, taxonomic classification and threats that was not available, or was not within the scope of analysis, when the Arizona population of the pygmy-owl was previously listed in 1997 and subsequently delisted in 2006. The petition relied largely on a recently proposed scientific reclassification of the pygmy-owl that recognizes the cactus ferruginous pygmy-owl subspecies in southern Arizona, and Sonora and Sinaloa, Mexico, as distinct, and with a smaller range than was recognized in 1997 for the subspecies. The petitioners also sought to list either the entire subspecies, or the Sonoran Desert or the Arizona populations as distinct population segments.

The Service solicited and evaluated additional information and determined, supported by peer review, that there is a lack of compelling data to revise the taxonomy of the pygmy-owl. Additionally, the Service evaluated the pygmy-owl populations in Arizona and the Sonoran Desert, as well as eastern, western and Texas configurations – none of these met the current Distinct Population Segment (DPS) policy.

An evaluation of the currently-accepted taxon of the cactus ferruginous pygmy-owl found that, while threats to pygmy-owls may be substantial on a local scale, threats throughout the majority of the pygmy-owl’s range are not of sufficient imminence, severity, or magnitude to indicate that the pygmy-owl is in danger of extinction (endangered), or likely to become endangered within the foreseeable future (threatened), throughout all of its range.

An evaluation of significant portions of the entire range of the pygmy-owl concluded that no portion of the pygmy-owl's range was threatened such that extirpation of that portion of the range would lead to the extinction of the remaining portion of the range.

The Arizona pygmy-owl population was previously protected under the ESA. Utilizing the best scientific information available in 1997, the Service added the Arizona population of the pygmy-owl to the federal endangered species list under the DPS policy. In 2003, the Ninth Circuit Court of Appeals ruled that the Arizona population was discrete, but found that the Service did not articulate a rational basis for finding that it was significant to the taxon. Subsequently, the Service found that the Arizona population of the pygmy-owl did not contribute significantly to the whole subspecies as recognized in the 1997 listing, and failed to meet DPS requirements. Following public comment, the Service removed the Arizona population from the list of threatened and endangered wildlife on April 14, 2006.

The cactus ferruginous pygmy-owl is a small, reddish-brown bird with a cream-colored belly streaked with reddish-brown, and a long tail. Pygmy-owls average 2.2 ounces and are approximately 6.75 inches long. The eyes are yellow, the crown is lightly streaked, and there are no ear tufts. Paired black spots on the back of the head resemble "eyes". Their diet includes lizards, birds, insects, and small mammals.

The Service's finding will be published in the *Federal Register* on Oct. 5. It will be available at <http://www.fws.gov/southwest/es/arizona> or by contacting the Arizona Ecological Services Office, U.S. Fish and Wildlife Service, 2321 W. Royal Palm Road, Suite 103, Phoenix, AZ 85021.

The Service continues to request new information concerning genetics of, threats to, and conservation of the pygmy-owl. If an emergency situation develops for the pygmy-owl or any other species, the Service will act to provide immediate protection.

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. We are both a leader and trusted partner in fish and wildlife conservation, known for our scientific excellence, stewardship of lands and natural resources, dedicated professionals, and commitment to public service. For more information on our work and the people who make it happen, visit www.fws.gov. Connect with our Facebook page at www.facebook.com/usfws, follow our tweets at www.twitter.com/usfwshq, watch our YouTube Channel at <http://www.youtube.com/usfws> and download photos from our Flickr page at <http://www.flickr.com/photos/usfwshq>.

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