

## 4. ENDANGERED SPECIES: Obama admin agrees to protect 6 foreign birds (06/16/2009)

Patrick Reis, E&E reporter

The Obama administration agreed to list six foreign birds today as endangered species and propose endangered species designations for 25 others in a settlement of a government dispute with environmentalists that began in 1980.

Under the settlement with the Center for Biological Diversity, the Fish and Wildlife Service will declare six Pacific seabirds endangered: the Chatham petrel, magenta petrel, Cook's petrel, Fiji petrel, Galapagos petrel and Heinroth's shearwater.

The service will also propose endangered species listings for another 25 foreign birds -- from Spain's Cantabrian capercaillie to Southeast Asia's salmon-crested cockatoo. Following the initial proposals, the service has a year to gather new information and make a final determination.

The six final declarations and 25 proposals have staggered deadlines, but all are due to be completed by Dec. 29.

FWS spokeswoman Valerie Fellows confirmed the terms of the settlement but said she could not comment further.

Most species listed under the Endangered Species Act are U.S. natives, but the list also includes more than 500 foreign species. Foreign listings allow the executive branch to provide financial assistance to international conservation efforts for the species in question and restrict import and export under the Convention on International Trade in Endangered Species of Wild Flora and Fauna.

"We are encouraged that the new administration is showing signs of clearing up its foreign listing program backlog and finally accepting its duty to list these extremely rare birds under the Endangered Species Act," the Center for Biological Diversity's Jacki Lopez said in a statement. "Listing foreign species under the Act is an important step in spurring increased international recognition of those species' urgent plights."

The service was first asked to list the foreign birds in petitions filed in 1980 and 1991.

Last July, the Fish and Wildlife Service agreed to promptly propose listing the 25 birds as endangered, but the center sued after continued inaction.

The service initially delayed listing many of the birds included in today's settlement by declaring them "candidate species," those that the agency acknowledges need federal protection but that cannot be listed as endangered until it addresses species that are more imminently threatened with extinction.

The Center for Biological Diversity has repeatedly questioned the legality of candidate designations, saying the service can only legally declare species as candidates if it is making "expeditious progress" in addressing the higher priority species.

*Reporter Allison Winter contributed.*

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