

Imperiled critters to get protection

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Almost three years after a conservation group sued to force the federal government's hand, it has agreed to name more than 100 acres of springs in Comal and Hays counties critical habitat for two species of beetles and a shrimp-like crustacean.

What effect the designation would have on landowners and development in the affected areas, which include the San Marcos and New Braunfels areas, is unclear. Federal officials say it's likely to be minimal, but they will follow with a two-month public comment period and economic analysis.

"We're pleased that the protection efforts have advanced to this next step," said Peter Galvin of the Arizona-based Center for Biological Diversity, the group that sued the U.S. Fish and Wildlife Service in 2003.

The critters in question — the Peck's cave amphipod, the Comal Springs riffle beetle and the Comal Springs dryopid beetle — are all one-eighth of an inch long or smaller and found only in a handful of spots in Central Texas.

"They are only at these four spring sites," said Allen White, U.S. Fish and Wildlife Service biologist.

The critical habitat designation is supposed to offer extra protection for endangered species, making it harder to pollute the springs or withdraw large quantities of water in situations in which a federal permit is needed or federal money is used.

Ironically though, the Fish and Wildlife Service, the agency responsible for overseeing the program, publicly says it is next to worthless and generally won't consider creating critical habitat unless ordered to do so by a court.

"In 30 years of implementing the ESA (Endangered Species Act), the service has found that designation of critical habitat provides little additional protection for most listed species," the service stated in a news release Monday. "In almost all cases, recovery of listed species will come through voluntary cooperative partnerships, not regulatory measures such as critical habitat."

The statement illustrates a growing rift between federal environmental regulators and groups such as Galvin's, which contends that Fish and Wildlife's scientific integrity has been eroded under a pro-development and pro-industry Bush administration.

"We fundamentally disagree, and court after court has ruled against the Fish and Wildlife Service and clearly stated that critical habitat does offer added protection," Galvin said.

Galvin pointed to a study in the April issue of the journal BioScience that found that species with critical habitat for two or more years were more than twice as likely to show an improved population. One of the study's co-authors is the policy director of the Center for Biological Diversity.

Fish and Wildlife will collect comments on the plan for two months and has until June 29 to create the critical habitat.

In the interim, the agency will also contract for an economic analysis to determine if the critical habitat designation will cause hardships in Hays or Comal counties.