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Judge declares Calif salamander endangered in two counties

by David Kravets
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A federal judge here on Friday declared the California tiger salamander an endangered species in Santa Barbara and Sonoma counties.

The decision by U.S. District Judge William Alsup, if it survives, might postpone, preclude or make it costlier to develop thousands of acres in the two counties.

The species is already listed as threatened across the state, meaning some development restrictions exist in its habitat surrounding certain wetlands and other areas.

Under Friday's decision, however, restrictions could be bolstered. The ruling does not become law for more than a month to allow for appeals.

"We do feel it will lead to increased protections and make it harder to justify the wholesale destruction of tiger salamander habitat," said Peter Galvin, conservation director with the Center for Biological Diversity, one of the groups that brought a lawsuit that led to Friday's ruling.

Jim Nickles, a spokesman for the U.S. Fish and Wildlife Service, one of the defendants in the suit, said the agency had no comment on the decision. He would not say whether the service would appeal.

"The protections in place for an endangered species are a little more restrictive than a threatened species. Most rules apply to both," Nickles said.

The California tiger salamander is a black-and-yellow amphibian that grows up to 8 inches long and lives in grasslands, woodlands and vernal pools, where it breeds during the winter rainy season. The species has been threatened by urban sprawl.

Carolyn Wasem, a lobbyist for landowners and homebuilders, suspects the ruling won't have any large-scale impacts. She said both counties are working on plans limiting development on thousands of acres along the salamander's habitat.

"We feel pretty confident and pretty hopeful that this ruling won't have a real affect on us," she said. "We are already taking steps to deal with it."

Judge Alsup ruled that there was no scientific reason for the government to have at one time declared the species endangered and then to have downgraded its status to threatened last year.

"There was no scientific evidence for downlisting the Sonoma and Santa Barbara tiger salamanders," Alsup ruled, noting that U.S. Fish and Wildlife Service scientists supported the endangered status. "The agency did not supply any scientific evidence."

The case is Center for Biological Diversity v. U.S. Fish and Wildlife Service, 04-04324.