

THE ARIZONA REPUBLIC



APRIL 1, 2006

Keep protection of bald eagle, suit urges

Michael Clancy
The Arizona Republic

Arizona's bald eagles need continued protection under the Endangered Species Act or they risk extinction, according to a lawsuit filed this week.

The Center for Biological Diversity and the Maricopa Audubon Society filed suit against the U.S. Interior Department and U.S. Fish and Wildlife Service, which oversee administration of the federal law. The agencies failed to respond to a petition to list the Southwestern Desert Nesting Bald Eagle as an endangered "distinct population segment" under the Endangered Species Act.

The agencies are required by law to respond to petitions within 90 days and to provide a final determination within one year. The organizations submitted the petition on Oct. 6, 2004.

The action puts the environmental groups at odds with the Arizona Game and Fish Department and other environmental groups.

Nationally, most major organizations and government bodies have hailed the possibility of removing the bald

eagle from the endangered-species list.

Eagle populations nationwide have rebounded from historic low numbers that followed widespread use of the insecticide DDT to kill mosquitoes. DDT, by causing a weakening in the birds' eggs, disrupted eagle breeding.

Some environmental groups say eagles in some locations, including Arizona, may need continued protection.

The state has 43 nesting pairs of birds, almost all of them along rivers and lakes.

Arizona had as few as four pairs in 1972, when DDT was banned, and 11 in 1978, when the eagle was put on the endangered-species list.

Game and Fish officials say that Arizona eagles, under a multiagency conservation agreement, will retain a high level of protection even if the bird is removed from the endangered-species list, which mandates a menu of efforts aimed at species recovery. They also would have continued protection under federal laws, officials say.

The number of eagles has climbed

steadily in the state. Jamie Driscoll, a biologist with the Game and Fish Department, said wildlife managers hope the numbers grow enough to connect with populations in other states, thus ending their isolation.

He contends that Arizona eagles are not a distinct group, just that they are isolated from other eagles.

Robin Silver of the Center for Biological Diversity said desert nesting eagles do not migrate, spend their lives within a limited area, breed earlier and do not interbreed with other bald eagles.

"The protections currently in place with listing are not enough to sustain the Southwestern population in the long term," he said. "Losing Endangered Species Act protection dooms the bald eagles in Arizona to certain extinction."

Bob Witzeman, conservation chairman for the Maricopa Audubon Society, said protection of the eagles also has helped conserve the cottonwood-willow habitat they favor and has resulted in cleaner, healthier streams.

"When this noble species is delisted, all those protections will disappear," he said.