

5. ENDANGERED SPECIES: Yellow-billed loon must wait for protections (03/24/2009)

Patrick Reis, E&E reporter

A rare Arctic bird deserves a place on the endangered species list but will not get one until the needs of other, higher-priority species are addressed, the U.S. Fish and Wildlife Service announced today.

The yellow-billed loon now joins 251 plants and animals as a "candidate species" for protection under the Endangered Species Act.

"There are other species that are more in need of the attention at this point," said Bruce Woods, a spokesman for FWS's Alaska office.

Woods added that his agency is engaged in other actions to protect the loon, including a conservation agreement with other federal and state agencies to protect the bird's Alaskan habitat. "The hope is that those conservation measures will prevent a further loss in numbers and lead to a recovery," he said.

The yellow-billed loon -- the largest of all loons, with a wingspan of up to 5 feet -- nests in Alaska, northern Canada and along Siberia's Pacific Coast. FWS estimates the bird's global population at no more than 20,000, with as many as 4,000 in Alaska.

In announcing its finding, FWS said yellow-billed loons could be affected by habitat loss from oil and gas development -- some of their Alaskan habitat lies within the National Petroleum Reserve -- and climate change.

Environmental groups blasted the ruling, questioning the legality of the "warranted but precluded" finding and saying it denied the loon protections it needed immediately to avoid further declines in population.

"Unfortunately, in denying protection to the yellow-billed loon, Secretary of the Interior Ken Salazar has adopted as his own one of the least defensible anti-wildlife policies of the Bush administration," said Brendan Cummings, an attorney with the Center for Biological Diversity, which petitioned FWS to list the loon in 2004.

"It's totally disingenuous for them to say they're working on higher-priority species when they're not listing anything," Cummings said, noting that just a handful of species have been listed in the past three years. He added that, on average, candidate species have been awaiting protection for 20 years.

FWS rethinking Bush-era trout decision

FWS yesterday announced it would reconsider applying Endangered Species Act protection to coastal cutthroat trout in the Columbia River.

FWS first considered listing the trout as "threatened," but withdrew the decision in 2002, saying the trout were more numerous than previously thought and were not declining in number.

Environmental groups, including the Center for Biological Diversity, the Oregon Natural Resources Council, the Pacific Rivers Council and WaterWatch, challenged the decision in court, saying FWS's decision was based on inadequate review.

The decision was upheld in the U.S. District Court for the District of Oregon in 2005, but in April 2008, the 9th U.S. Circuit Court of Appeals ruled that FWS had inadequately examined the importance of the trout's estuary habitat and ordered the new review.

Cutthroat trout, a member of the salmonid family, spend part of their lifecycle in rivers and the rest in ocean water.

FWS has said it intends to publish a new rule on the cutthroat's status by the fall.

The status of the loons' habitat was corrected at 2:38 p.m. March 26.



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