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Judge overturns decision to reject tiger salamander protection

By TERENCE CHEA
Associated Press Writer

SAN FRANCISCO - A judge has overturned a decision by state wildlife regulators to reject a petition to give protected status to the California tiger salamander.

Sacramento Superior Court Judge Lloyd G. Connelly ordered the Fish and Game Commission to conduct a 12-month review to determine whether to list the yellow-and-black amphibian as an endangered or threatened species.

Connelly said the commission “misstated or ignored substantial evidence” and “relied on conflicting information of doubtful scientific value” when it voted 3-2 two years ago to reject the petition to list the salamander under the California Endangered Species Act.

In the Dec. 14 opinion released Wednesday, Connelly wrote that “all competent scientific evidence in the record supports a finding of a substantial possibility that (a salamander) listing could occur.”

During the yearlong review period, the salamander will be given protected status that makes it illegal to harm or kill the species.

The Center for Biological Diversity, which sued the commission in February 2005 after its petition to list the salamander was rejected, hailed the judge’s decision Wednesday.

“The decision holds the commissioners accountable to base their decisions on science rather than political considerations,” said Kassie Siegel, an attorney for the conservation group, which filed petitions to list the salamander in 2001 and 2004.

Officials at the Fish and Game Commission had not seen the ruling Wednesday and could not comment, said Jon Fischer, the commission’s assistant executive director.

The tiger salamander, which lives in woodlands, grasslands and vernal pools, has been in decline throughout California for years with the expansion of urban and

agricultural development. Environmentalists say the amphibian has lost 75 percent of its original habitat.

Facing multiple lawsuits, the U.S. Fish and Wildlife Service in recent years has listed salamander populations in Sonoma and Santa Barbara counties as “endangered” and populations in Central California as “threatened.”