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Tiny desert owl to be taken off endangered species list

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The tiniest owl in the desert no longer has special protection.

The U.S. Fish and Wildlife Service announced Thursday that the cactus ferruginous pygmy owl will be removed from the endangered species list on May 15. Twenty or fewer of the birds are known to live in Arizona.

The decision to “delist” the owl was based on a 9th Circuit Court of Appeals opinion, officials said, as well as science, policy and legal considerations. The service determined that the Arizona population of the cactus ferruginous pygmy owl does not contribute significantly to the species as a whole, which exists throughout Arizona, Texas and northern Mexico, said Benjamin Tuggle, acting regional director for the Southwest Region.

The court case began when the Tucson-based Center for Biological Diversity petitioned for protection for the owl in 1992. It was listed as endangered in 1997. The National Association of Home Builders and the Southern Arizona Home Builders Association challenged the listing in

2001.

Ed Taczanowsky, president of the Southern Arizona group, said in a news release that the decision “is long overdue.”

Home builders would like to develop land occupied by the owls, particularly in northwest Tucson.

The listing affected only the Arizona population. The court ordered the service to show that Arizona pygmy owls were of sufficient biological and ecological significance to the entire subspecies to qualify for listing as a distinct population segment. Service officials said they were unable to do so, largely because sufficient numbers of the owls are believed to live in Mexico.

Bryan O’Neal of the Center for Biological Diversity said the organization was not happy with the decision and would likely respond before May 15.

The pygmy owl is a small bird, less than 7 inches long and weighing about the same as a tennis ball. It is reddish brown overall, with a cream-colored belly streaked with reddish brown.

The pygmy owl will still receive protection under the Migratory Bird Treaty Act, which prohibits killing, pursuing or harassing a pygmy owl or possessing any of its parts.