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Vanishing Migratory Bird Wins Critical Habitat

WASHINGTON, DC, October 14, 2004 (ENS) – In compliance with a court order, the U.S. Fish and Wildlife Service has repropoed 1,556 miles within the 100 year floodplain of waters in California, Arizona, Nevada, Utah, Colorado and New Mexico as critical habitat for an endangered migratory bird, the southwestern willow flycatcher, which was listed as endangered in 1995.

The Service designated 599 river miles of flycatcher critical habitat in New Mexico, Arizona and California in 1997. Since the initial designation, the existence of additional breeding locations in southwestern Colorado, and southern Nevada and Utah has been recognized.

In 2001, the 10th Circuit Court of Appeals set aside designated critical habitat within New Mexico - the only state under the court's jurisdiction where critical habitat was originally proposed. The court found the economic analysis of the designation to be inadequate. The Service then set aside critical habitat designated for the species in all three states until a reassessment of the economic effects of designation could be completed.

"We used all the expanding body of scientific information available on flycatcher conservation to lay out a proposal outlining those areas that appear to be essential to conservation of the species," said Dale Hall, Director of the Service's Southwest Region.

"Now we need input from local residents, area industries and the conservation and scientific community to refine our strategy and the proposed designation. We're asking if our rationale for designating critical areas needs to be refined. Are adequate protections already in place? Did we designate the right areas? What are the anticipated costs of designating various areas?"

The Service is nearly finished with an associated draft economic analysis and environmental assessment. When those documents are available, the Service will schedule eight public hearings in five states.

Information supplied by either individuals or groups during the comment period will be "essential," the Service said, in evaluating and finalizing critical habitat areas and determining where the benefits of designating an area might outweigh the benefits of not including it - an evaluation required under the act .

All comments collected during the comment period will be considered and addressed in a final rule anticipated in a year.

The proposal identifies locations that support 10 or more flycatcher territories and is designed to maintain those nesting birds' access to other flycatcher populations in order to provide population stability, assure that birds can expand into other locales, and ensure genetic flow among populations.

The 5.75 inch flycatcher breeds and rears its chicks in late spring and through the summer in dense vegetation along streams, rivers, wetlands and reservoirs in the arid Southwest. The flycatcher migrates to Mexico, Central, and possibly northern South America for the non-breeding season.