

[https://www.eenews.net/greenwire/2021/02/09/stories/1063724731?utm\\_campaign=edition&utm\\_medium=email&utm\\_source=eenews%3Agreenwire](https://www.eenews.net/greenwire/2021/02/09/stories/1063724731?utm_campaign=edition&utm_medium=email&utm_source=eenews%3Agreenwire)

## ENDANGERED SPECIES

# Cuckoo's critical habitat up in the air



Michael Doyle, E&E News reporter Published: Tuesday, February 9, 2021

A Western yellow-billed cuckoo. Peter Pearsall/U.S. Fish and Wildlife Service

A leading bird advocate will talk with White House regulators today in hopes of expanding an inherited critical habitat proposal for the Western yellow-billed cuckoo.

The midafternoon virtual meeting between the American Bird Conservancy and the Office of Management and Budget marks one of the Biden administration's first opportunities to either adjust or sustain an Endangered Species Act call made during the Trump years.

"There are whole new teams of people over there," Steve Holmer, vice president of policy for the American Bird Conservancy, said this morning. "I'm very interested in who's looking at these things."

Holmer added that "we're looking for new leadership and better application of best science" in the ESA decisionmaking.

The 30-minute meeting with OMB's Office of Information and Regulatory Affairs, and others who may drop by, is part of the final rulemaking process.

Last February, President Trump's Fish and Wildlife Service proposed designating 493,665 acres across seven Western states as critical habitat for the bird. The move includes parts of Arizona, California, Colorado, Idaho, New Mexico, Texas and Utah.

The revised area is about 9% smaller than the 546,335 acres proposed in 2014. The earlier proposal included the seven states as well as portions of Nevada and Wyoming.

The agency says no breeding has been confirmed in Wyoming. The only known Nevada area where the cuckoo has been confirmed to be breeding is in the southern part of the state.

"The current proposal is insufficient," Holmer stated. "A designation of 493,665 acres is inadequate to recovery of the population, and the proposed rule fails to provide adequate protections for the designated critical habitat."

About 33% of the proposed total acreage is federal land, 11% is state-owned, 14% is owned by tribal entities and 42% is privately owned or owned by local government entities.

In 2017, the Arizona Mining Association and National Cattlemen's Beef Association, along with other groups, petitioned FWS to delist the western distinct population segment.

Last September, FWS rejected the petition to strip away the bird's status as a threatened species. The cuckoo's western distinct population segment has been listed under the ESA since 2014 ([\*Greenwire\*](#), Sept. 15, 2020).

"Minerals mining projects negatively impact recently identified occupied habitat in central and southern Arizona," FWS stated, adding that "current yellow-billed cuckoo breeding populations are fragmented and geographically isolated."

The bird travels between its wintering grounds in Central and South America and its breeding grounds in North America each spring and fall, using river corridors as routes. The Western yellow-billed cuckoo's breeding range spans 12 states and parts of Mexico.

FWS says the "primary stressors" affecting the population include habitat loss and degradation from altered watercourses, livestock overgrazing, encroachment from agriculture, and conversion of native habitat to nonnative vegetation.

The Center for Biological Diversity first petitioned to protect the cuckoo in 1998 and later sued to compel preparation of its critical habitat in 2018.