

NEW DETAILS GOLDEN-CHEEKED WARBLER

Golden-cheeked warbler still endangered

Fish and Wildlife Service rejects petition seeking removal of protections.

By Asher Price

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Rejecting a bid by former state Comptroller Susan Combs and others to remove special habitat protections for the golden-cheeked warbler, the U.S. Fish and Wildlife Service is set to announce their petition “did not present substantial information that delisting is warranted.”



A golden-cheeked warbler is banded in the Balcones Canyonland Preserve. CONTRIBUTED BY CITY OF AUSTIN CHANNEL 6

The decision, to be published Friday in the Federal Register, means the federal agency will take no further action on the petition.

Three groups – Texans for Positive Economic Policy, led by Combs, the Texas Public Policy Foundation and the Reason Foundation – had argued the golden-cheeked warbler, a migratory songbird that nests in Central Texas, should be removed from the list of endangered species. The move could have allowed more development in a broad swath of the Hill Country.

The groups, which have ties to business and landowner interests, said the Fish and Wildlife Ser-

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vice’s method of estimating species health is outmoded, and that more recent data shows the habitat and population of the bird is robust.

The bird was first listed as endangered in 1990, leading to efforts to preserve its habitat.

“No new information is presented that would suggest that the species was originally listed due to an error in information,” said the Fish and Wildlife Service’s decision, which was made available in federal reading rooms Thursday.

“The golden-cheeked warbler is a taxonomically unique species and was shown to be in danger of extinction at the time of the listing. The golden-cheeked warbler has not been recovered, and due to ongoing,

widespread destruction of its habitat, the species continues to be in danger of extinction throughout its range.”

The American-Statesman revealed last year that Combs and a high-ranking state official in George P. Bush’s General Land Office had pressed military officials at Fort Hood, prime warbler habitat, to play up the impact of the bird protections on military training.

Combs didn’t immediately return a request for comment Thursday.

The cornerstone of the effort to remove the bird’s federal protections was a study by Texas A&M researchers. Overseen by an ecologist who served as a board member with Combs on the Texas Wildlife Association, a property rights group that supports the warbler delisting effort,

Golden-cheeked warbler habitat

Golden-cheeked warblers nest only in Central Texas mixed Ashe-juniper and oak woodlands in ravines and canyons. They are endangered because many trees have been cleared to build houses, roads, and stores.



Source: Texas Parks and Wildlife Department

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the study concluded Central Texas’ warbler population was much greater than previously thought, calling into question the need for its endangered species protection.

But the Statesman found that the A&M research had come in for a series of criticisms from other biologists. Federal biologists, for example, noted that, according to the A&M population model,

warblers could be found in a wide expanse of asphalt at Fort Hood. Citing such glitches, the agency concluded the paper’s methodology overpredicted the number of warblers by as much as tenfold.

The Aggie researchers have stood by their conclusions and criticized the methods of other scientists. “I’m just gratified the plight of the golden-cheeked warbler has been recognized and validated,” said Joan Marshall, executive director of the birding group Travis Audubon. “Development continues to threaten their habitat, and it’s important to respect the endangered habitat they have. You can’t sustain the population without maintaining the habitat.”

“There will be continued pressure to try to hollow out the Endangered Species Act through nonenforcement or defunding,” Mar-

shall said. “We’ll continue to be vigilant.”

The decision was “disappointing but not surprising,” said Brian Seasholes, director of the endangered species project at the Reason Foundation, a libertarian think tank.

“The service has a decades-long practice of not delisting species when they merit delisting,” he said. The decision “is a sad day for conservation because there are many, many species truly imperiled that need conservation help, but resources are being diverted to species like the golden-cheeked warbler.”

Petition decisions can be challenged in courts, but Seasholes said the petitioners have not yet discussed their next step.

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