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Special Contributor

Golden-cheeked warbler needs federal protection

For some deep-pocketed developers, the gold on the golden-cheeked warbler just doesn't have the right kind of shine.

Last week, the corporate-funded Texas Public Policy Foundation – an extreme private-property rights group – filed a lawsuit to strip these beautiful birds of endangered species protections.

The warbler is a true Texas native that breeds only in the Hill Country's dense juniper and oak woodlands. But clearing of their habitat for ranching and urban sprawl has long endangered the warbler, and in 1990 they were protected under the Endangered Species Act.

Like so many other imperiled animals, the warbler has greatly benefited from Endangered Species Act protection. Although the bird's numbers are difficult to estimate, there can be no question that warbler abundance has increased and some habitat areas have been protected.

This is not surprising. A recent study by the Center for Biological Diversity, where I work, found that 85 percent of bird populations in the continental United States increased or stabilized while protected by the act.

But it's simply too soon to remove protections for the warbler, which continues to lose habitat to urban sprawl. Indeed, Austin and Central Texas – home to the woodlands that are the only place in the world where the warbler breeds – are some of the fastest-growing regions in the country. Between 1999 and 2011, 29 percent of the warbler's habitat was destroyed.

The new lawsuit against warbler protections, filed on behalf of the General Land Office, aims to throw wide the



A golden-cheeked warbler perches in mountain juniper on a ranch in western Travis County. Much of its habitat has been cleared. FILE

doors to this rapid development, arguing that those crucial environmental safeguards impede property rights and that the warbler has recovered.

Here's the problem with that notion: The warbler became endangered in the first place because the small swath of Texas it calls home was destroyed through irresponsible development.

Now, those same deep-pocketed developers are trying to tell the federal government and those who love the warbler not to worry. But that's like the fox saying the hens are healthy and should be let free to roam outside of the protections of the hen house.

Experts who study the species know better. Scientists with the U.S. Fish and Wildlife Service have steadfastly maintained the warbler needs continued protection.

The golden-cheeked warbler is slowly recovering – but it still has a long way to go. Recovering species is diffi-

cult work and takes time. Our study of protected birds found the time needed for recovery established in federal plans, on average, was 63 years. But most birds, including the warbler, have only been protected for far less time.

As an attorney working to protect endangered species, I'm thankful the Endangered Species Act has saved the golden-cheeked warbler and so many other unique, beautiful and intriguing animals. And I know that preserving endangered wildlife like the warbler also helps safeguard healthy ecosystems that are the natural heritage of all Americans.

The act's protections have helped preserve the golden-cheeked warbler for this generation.

It would be a shame if the next generation never got to hear the warbler's call.

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