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Krofta/ARL/R9/FWS/DOI**

03/28/2006 07:48 AM

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cc

bcc

Subject Fw: Arizona Bald Eagle: DPS under the ESA?

in case you have not seen this

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**Ann Haas/ARL/R9/FWS/DOI**

03/28/2006 09:47 AM

To Kurt Johnson/ARL/R9/FWS/DOI@FWS, Douglas  
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cc

Subject Arizona Bald Eagle: DPS under the ESA?



## Center for Biological Diversity

BECAUSE LIFE IS GOOD

*Protecting endangered species and wild places through  
science, policy, education, and environmental law.*

For Immediate Release: March 27, 2006

Contact:

Robin Silver, M.D., Board Chair, Center for Biological Diversity, 602-246-4170

Bob Witzeman, Conservation Chair, Maricopa Audubon Society, 602-840-0052

### **Bush Administration Sued to Protect Arizona Bald Eagles**

Phoenix, Ariz.—The Center for Biological Diversity and Maricopa Audubon Society [filed a](#)

[lawsuit today](#) against the U.S. Department of the Interior and U.S. Fish and Wildlife Service. The agencies failed to respond to a petition to list the Southwestern desert nesting bald eagle as an endangered Distinct Population Segment under the Endangered Species Act. The agencies are required by law to respond to petitions within 90 days and to provide a final determination within one year. The Center and Maricopa Audubon submitted the petition on October 6, 2004.

The desert nesting bald eagle is a non-migrating resident of the Southwest. They have a limited range. Most live in Arizona. They are isolated behaviorally, biologically and ecologically from other bald eagles. They breed earlier in the season and do not interbreed with bald eagles that nest elsewhere.

“The administration has chosen not to protect this distinct population,” said Dr. Robin Silver, Board Chair of the Center for Biological Diversity.

The bald eagle is America’s national symbol. It is also heralded as a symbol of the success of the Endangered Species Act. The eagle was listed as endangered under the Act in 1978 which invoked special management and protections for the species. Since listing, populations have rebounded nationwide, and the administration has called for removal of all bald eagles from the list.

“Arizona desert nesting bald eagles are an important part of our heritage. Yet they continue to face increasing risks. They will not survive without Endangered Species Act protection. This suit will force the administration to do more to protect Arizona’s bald eagles, not less,” said Maricopa Audubon Conservation Chair Bob Witzeman.

In the Southwest, stream dewatering, habitat destruction, and human population encroachment and harassment still threaten the bald eagle. Mortality of fledglings and adults remain uncharacteristically high here. Since 1983, 16 percent of all fledglings have survived owing to human intervention. In some years up to 60 percent are saved.

In the 2004 petition, the Center and Maricopa Audubon presented evidence that desert nesting bald eagles face a high risk of extinction within 57 to 82 years. Review of the 2004 and 2005 data yields essentially the same results.

Silver said, “The protections currently in place with listing are not enough to sustain the Southwestern population in the long-term. Losing Endangered Species Act protection dooms the bald eagles in Arizona to certain extinction.”

Federal actions continue to threaten desert nesting bald eagles. Low-flying aircraft commonly harass and flush incubating eagles from their nests, interrupting their breeding and nesting cycles. Other federal actions approved by the Fish and Wildlife Service are responsible for at least 29 southwestern desert nesting bald eagle deaths in the last decade. Federal actions are projected to cumulatively result in the death of 491 eagles over the next 50 years. Approximately 30 percent of occupied nesting territories in Arizona may be impacted by planned federal projects.

“Removal of the bald eagle from the endangered species list will allow federal actions to take place without analysis or mitigation. Commitments by the Arizona Game and Fish Department to continue a Nestwatch program will not address federal actions, continued habitat degradation, or declines in population over time,” said Silver.

The Center and Maricopa Audubon are represented by Center staff attorney Erik Ryberg in this suit.

## #

The Center for Biological Diversity is a non-profit conservation organization with over 18,000 members dedicated to the protection of imperiled species and their habitats.

Maricopa Audubon Society is an organization of volunteers dedicated to the enjoyment of birds and other wildlife with a primary focus on the protection and restoration of the habitat of the Southwest through fellowship, education, and community involvement.

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Subject Google Alert - Endangered Species Act

## Google Alert for: **Endangered Species Act**

### [Bush Administration Sued to Protect Arizona Bald Eagles](#)

Center for Biological Diversity (press release) - Tucson,AZ,USA

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