



Shape the Future

# Canyon Chatter

Friends of Madera Canyon

May 2025



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On the cover. An Ash-throated Fly Catcher, *Myiarchus cinerascens* hanging out on Proctor Trail. Photography by Doug Moore.

## How to Join Friends of Madera Canyon

Below are links to join as a new member, renew a membership or make a donation. The links will take you to a secure server to use a credit card or an automated payment. Do you have any questions? Let us know. If you prefer to help by writing a check, please make your check payable to Friends of Madera Canyon - mail to:

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# From the President

May 2025

If you check out the pictures in this month's Chatter, you will see how blessed we are to have a Canyon that offers hospitable bird habitat. Thanks to all who shared their photos.

My wife, Judy, and I returned two weeks ago from a trip to the southern part of Portugal to see birds. Obviously, we can see birds, lots of them, most of the year, in Madera Canyon, one of the most well-known birding hotspots in the United States. Our hope was to see birds we don't see in our area, and we were not disappointed. We saw Hoopoes, Bee Eaters, Rollers, and Eurasian Stone Chats, and we were surrounded frequently by the music of the Nightingales as they moved through their impressive repertoire of songs.

We also saw a country that is committed to seriously preserving unique bird, habitats, provide marked birding trails, the signage, and upkeep courtesy of private businesses, and species renewal projects dedicated to restoring declining populations for various reasons, parallel to what we have done here in the US to regenerate a California Condor population. We enjoyed the acreage and ponds maintained by another private corporation to benefit that part of the Portuguese and visitor population who want to see things in nature that might otherwise have been moved out of their natural surroundings or even driven toward extinction.

As John Murphy aptly notes below, whether the US will continue to take seriously its commitment to preserve unique habitats is under assault. However, the debate over how best to protect the environment has been going on with us since the first Earth Day in 1970 and well before. The foolish position is to believe that such competition over land use and the value of diverse species is ever-ending.

Those who enjoy birding know that the canyons in the Sky Islands have been hot spots for seeing species that don't understand that there is a border between the U.S. and Mexico, as they migrate annually or even just move around in their defined range. Borders are an invention of human beings, not Nature.

The Santa Rita Lodge built a business around the proliferation of bird species, and when, in 1987, the Forest Service asked residents to form the Friends of Madera Canyon, the Friends began to promote birding in the Canyon in its communications with the wider community.

The birding trails in Portugal were well-done and informative. But the Forest Service is averse to having too much signage in the Canyon, worried that it would distract from the natural beauty. It surely might. Would it be a valuable service, even an educational tool, to put QR codes on short posts to be read by hikers, birders, and parents teaching their kids?

If so, how do we ensure the connectivity needed to make that work?

In my comments above and in the articles to follow, the challenges facing those of us in the Friends and those who value Madera Canyon as a place to experience a multitude of birds are identified. Drought, climate change, erosion of federal recognition of the importance of habitat, more and more people wanting to watch and listen to the miracles of birds, putting greater human pressure on the habitat; these are a part of a cycle that will never end.

That probably means that the need for a group like the Friends of Madera Canyon will never end, either. And THAT means that the need of the Friends for membership dues, gifts, bequests, and other revenue to sustain the group will never end. Thank you for what you have given, are giving, and will provide. I am sure the birds thank you, too.

Dan White

# Factors contributing to the global decline of insects

In the last two issues I reported on declining butterflies (down by 22%) and declining bees (domestic honey bees are down by 88%). Insects are vanishing at a concerning pace across the globe, and scientists are striving to understand why. While agricultural intensification is often cited as the primary cause, new research from Halsch et al. from Binghamton University, State University of New York, reveals a far more complex picture involving numerous interconnected factors.

Interest in insect decline has grown rapidly since a groundbreaking [2017 study](#) reported a staggering 75% drop in insect populations over less than 30 years. This alarming figure has sparked a wave of scientific investigations, each exploring potential causes behind the phenomenon.

To gain a comprehensive view of the scientific consensus, researchers at Binghamton University examined more than 175 scientific review papers. These reviews encompassed over 500 hypotheses regarding the drivers of insect decline. Using this information, they created an interconnected network of 3,000 possible links, including everything from beekeeping to urban sprawl.

Instead of getting 600 people together, Halsch et al. decided to take an approach where they read every paper that's either a review or a meta-analysis. The idea was to read them and extract what people say are 'causal pathways'. For example, agriculture leads to pollution and a decline in the insect population. Then they built a giant network out of them to see which ideas are more often connected, and which stressors are most often seen as the root causes.

Examining the massive list of possible links, the most cited driver for insect decline was found to be agricultural intensification, via issues like land-use change and insecticides.

But it's more complicated than ranking drivers, as systems are interconnected and impact one another. For example, climate might drive insect decline, but there are individual drivers under the umbrella of climate, like extreme precipitation, fire, and temperature, which can impact other drivers. It's a highly connected and synergistic network.

And still, many ideas are overlooked. The International Union for the Conservation of Nature, for example, has a list of all the potential threats to consider in insect conservation. But huge portions of that list never made an appearance in recent insect decline literature.

None of the papers mentioned natural disasters, No papers looked at human intrusions and disturbance, or the effects of war on insects, or railroads. So there are these big areas that we know in general are threats to biodiversity, but the insect decline literature is focused on a few significant stressors, as opposed to getting into the more specific ones, which are a lot more mechanistic.

The researchers identified biases in recent literature, most notably those generated from a focus on "popular" and "charismatic" insects like bees and butterflies, despite their being in the vast minority of insect biodiversity.

Because the focus is so much on pollinators (like bees and butterflies), it limits the identification of conservation actions that benefit other insects.

Bees are agriculturally important, and people care about them. So, there is a lot of research priority towards funding research on bees, thus the feedback is often about bees, and you learn more about bees. Therefore conservation actions are overly biased towards certain insects and certain stressors.

Reference: "Meta-synthesis reveals interconnections among apparent drivers of insect biodiversity loss" by Christopher A Halsch, Chris S Elphick, Christie A Bahlai, Matthew L Forister, David L Wagner, Jessica L Ware and Eliza M Grames, 22 April 2025, *BioScience*.

[DOI: 10.1093/biosci/biaf034](https://doi.org/10.1093/biosci/biaf034)



# RALLY FOR THE SANTA RITAS



**MAY 3 // 2-4 PM**

**FEDERAL BUILDING  
DOWNTOWN TUCSON**



Rally for the Santa Ritas TUCSON, AZ — Join concerned residents from around the region for a Rally for the Santa Ritas on Saturday, May 3, 2025, from 2:00 PM to 4:00 PM at the Tucson Federal Building, 300 W Congress St. This critical event will bring together residents, environmental advocates, and regional leaders in a powerful demonstration of opposition to the proposed

Copper World mining project and the broader threats posed by the unchecked power of the mining industry in Arizona. **MARK YOUR CALENDARS**

and SHARE with your neighbors — this is a moment for our community to rise in defense of the Santa Rita Mountains and demand that elected officials take action to protect our environment, water, and public lands from irreversible harm.

**Key attendees and speakers include the following:**

- **Adelita Grijalva, former Pima County Supervisor**
- **Regina Romero, Mayor of Tucson**
- **Kevin Dahl, City of Tucson Councilmember**
- **Russ McSpadden, Center for Biological Diversity**
- **Rob Peters, Save the Scenic Santa Ritas**

**The Copper World project threatens to destroy a treasured landscape, pollute scarce water resources, and set a dangerous precedent for future mining operations in our region. Rally participants will call on local, state, and federal representatives to oppose this project and totake a stand to protect our lands for generations to come.**

\*\*\*\*\*

## ***Volunteer Positions Open*** **STOP! LOOK! LISTEN!**

Now recruiting a two-person team to fill BROCHURE BOXES in the Canyon; on Friday; every eight weeks. A piece of cake.

You and your partner pick up the Brochures in the VIS; check and replenish the WELCOME, BIRDS, and HIKING holders at 15 stops in the Canyon; then home in time for breakfast.

Again . . . a two-hour mission, once every eight weeks. You can do it!

Two teams open.

**Those interested should contact Joe Wolowsky at [jwolowsky@gmail.com](mailto:jwolowsky@gmail.com).**

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# TRASH AND LITTER – IT CAN OUTLIVE US ALL

By Debbie Gilliam,  
Preservation, Clean Up Volunteer,

Discarded items - you might casually flick them out of your hand or let the wind carry them away, without a second thought. However, what you may not realize is that they can be an eyesore to others, potentially deadly to birds or animals that ingest them, and can take an exceptionally long time to decompose. Many of these items could remain visible for anywhere between three months to one million years.

This display was created with the intention of educating visitors to Madera Canyon about the decomposition time of discarded items. Hopefully this will remind everyone to: Pack It In Pack It Out; or at the very least, dispose of items in the trash bin. Leave No Trace.





# ***Madera Canyon Faces Harsh Reality of Spring Drought***

**By Jim Burkstrand**

For the past two months, as an Education docent for the Friends of Madera Canyon, I observed firsthand the stark effects of an unrelenting dry spell on this normally vibrant ecosystem while leading groups of students. Our purpose has been to explore the canyon's natural rhythms—birdsong, blossoms, the quiet movement of insects among leaves. But this year, the rhythms are off.

It has been a dry spring in Southern Arizona, and life in the canyon is showing the strain. The scarcity of insects and other small creatures has been a persistent challenge, a clear indicator of the parched conditions gripping the area.

On Thursday, April 25th, a visit to the canyon provided an opportunity to document the visible impacts of the drought on the landscape. The warm day presented clear skies and calm winds, seemingly ideal for observation.

The immediate indication of the severity of the situation was evident upon entering the Proctor parking lot: a "Very High" fire danger warning was prominently displayed (photo). This is the equivalent of a local red flag warning, signaling heightened fire risk. It is a stark reminder of how brittle the landscape has become.

The initial walk along the Proctor Trail revealed a parched expanse of grasslands, underscoring the imminent threat of fire (photo). The normally abundant wildflowers were notably absent, scattered sparsely across the dry terrain. The students never did see any of the usual Mexican gold poppies. Honeysuckles, typically a hallmark of the canyon's springtime splendor, were difficult to locate (photo).

Bird sightings were infrequent, though a Verdin was observed suc-



Dry Grasslands.



Dry oak leaves.



cessfully foraging for a rare insect (photo). The lack of insects likely contributes to the diminished bird population within the canyon, as they are forced to seek food elsewhere.

Crossing Proctor Road led into the Oak & Juniper Woodland, where the effects of the drought were equally apparent. A venerable oak tree, estimated to be well over a century old and already mature during the White House era, exhibited widespread browning of its leaves. This phenomenon is reminiscent of a two-year drought experienced in recent years. The continued dry conditions suggest that the oak is likely to shed most of its leaves by late June or early July, a condition that will persist until significant monsoon rain arrives.

Still, life persists. White-tailed deer were seen foraging quietly along the trail, and a Carpenter Bee, absent in recent weeks, made an appearance. Mexican Blue Jays, more often seen at higher altitudes were foraging for food. A female Black Headed Grosbeak, just arriving for the summer, was also spotted and photographed. An Acorn Woodpecker also made its presence known, hammering at a distant tree.

While Madera Canyon remains a worthwhile destination for a walk or hike, visitors should temper their expectations. The canyon, usually vibrant with color and sound this time of year, is subdued—waiting, like the rest of us, for rain.



Dry Oak Tree.



Honeysuckle



Verdin with a bug.



# ***Education Report***

## **Doug Moore, Education Director**

April, 2025, Education Program  
Doug Moore, Education Director

April is usually the busiest month of the year for FoMC Ed Program activities; this year is no exception, even with the extreme drought conditions in the canyon. Despite a completely dry creek and no annual wildflowers, we still managed to lead exciting, outdoor field trips with lots to explore & experience. I also made two FoMC A/V presentations in the local community.

An area homeschool group brought 45 kids up to Proctor early in the month. Eighteen 3<sup>rd</sup>-6<sup>th</sup> graders went birding with docents around the trail loop, while preschool-2<sup>nd</sup> graders did nature activities at the picnic ramadas. After practice learning how to use binoculars, the older kids spotted a variety of canyon birds, while exploring the lower canyon and learning why so many resident and migrant birds favor Madera Canyon's varied habitats. After the homeschool walk, I raced down to Sahuarita to give a "Nature of Madera Canyon" program to residents of Sonora del Webb early that afternoon.

On April 11, I drove south to Nogales to talk with 8<sup>th</sup>-12<sup>th</sup> graders in the University of Arizona Extension High School Leadership Program meeting at Mexicayotl Academy. My A/V program topic was to describe my job as FoMC Education Director, what working for a non-profit conservation organization entails, and what types of outdoor education/conservation government and non-profit employment opportunities exist. It was a unique opportunity to interact with some of our area's top high school students!



Green Valley Country Club seniors exploring the canyon with Doug on the Proctor Loop

Not all our spring walks are with kids! On April 14, twelve Green Valley Country Club members joined me for a lovely morning walk around the Proctor Loop. The group requested the walk following a Madera Canyon nature program I did at their club house last fall. The lively, curious seniors explored and discussed the canyon with me, enjoying the nature and scenery while also open to talking about drought, climate change, and other impending canyon issues. We had particularly excellent morning birding- migrant warblers, vireos, and flycatchers making their spring appearance in good numbers.

The most challenging field trip of the season was Montessori de Santa Cruz bringing 80 students up to the canyon on April 17! 4<sup>th</sup>-8<sup>th</sup> students went on a guided nature walk with docents around the Proctor Loop, while K-3<sup>rd</sup> kids did separate nature activities up at White House Recreation Area. M. de S.C. did not have bus transportation this year, so we had quite a juggling act with a major carpool- some parents dropping off older kids, others

needing to park at Proctor. The Proctor parking lot was chaotic for a time, but all eventually made it to where they needed to be, and our nature walk actually got off on time! Though breezy, the weather was warm and the students enjoyed a memorable walk in the canyon with browsing deer, several noisy flocks of Mexican Jays, active woodpeckers, and recently arrived migrant warblers providing highlights.

Writing now to beat the monthly Chatter deadline, I am anticipating one last April field trip to finish off the month- Walden Grove High School Advanced Placement Environmental Science students will be in the canyon on April 29 for a guided walk on the Proctor Loop. In what has now become an annual spring activity, teacher Emily Patterson is bringing 19 students up for a morning outdoors in Madera Canyon nature. The A.P. students are always engaged and curious, so we're much looking forward to interacting with Sahuarita's best again this year!



*Mexican Jay, National Parks Gallery.*



# The Birding Report

Bob Pitcher

## BIRDING WITH THE SCOUTS

On April 12, I led members of Scout Troop 247 on a bird walk up the Proctor Trail. This troop, based in Sahuarita, is all-girl, and is a Youth Naturalist Group member of the Friends of Madera Canyon, under whose auspices the walk was held. There were a dozen of us altogether, eight Scouts, ranging roughly in age from ten to seventeen, two Scout mothers, and Scoutmaster Terry Donnelly, who also serves on the Friends' Board of Directors. Several of the Scouts are working on their Birding Merit Badge. I looked at the requirements for the Badge: they are lengthy and go into bird life in considerable depth!

We started out from the Proctor parking lot at 8:30, on a bright, slightly breezy morning. The sun was strong, but it wasn't really hot yet. I asked if any of the Scouts had seen any birds on the way up to the Canyon; one had seen a Road-runner. A few feet from the parking lot, we saw our first bird: one of the Turkey Vultures that roosts overnight in the Canyon was overhead.

Our second bird, in the first patch of hackberry trees, wolfberry bushes, and mesquites, remained unidentified. It was one of the *Empidonax* genus of flycatchers, which require a good long look to identify, and it didn't give us such a look. Might have been a Gray, Dusky, or Hammond's. But with it was a singing Bell's Vireo – my first of the season – and we actually saw the Vireo, briefly.

We stopped at the platform at the stream crossing to see what was in the bug sycamores: Yellow-rumped Warblers, possibly as many as a half dozen, in various states of plumage on the way to their full breeding finery. While we were there, a pair of Red-naped Sapsuckers came by, and an Ash-throated Flycatcher was heard up the hill along Proctor Road. While we looked for the Flycatcher – never seen -- there was a War-



bling Vireo, not warbling, but plain to see.

As we were leaving Proctor Road, and I had just finished telling the Scouts that in Madera Canyon it's wise to check every Turkey Vulture seen overhead in case one of them might be a Zone-tailed Hawk, when the next Vulture that appeared *was* a Zone-tail, and everybody had a decent look at it.

Once we entered the oak and juniper stretch of the trail that begins above Proctor Road, we saw little for some time – except a few deer browsing placidly along the way, paying us almost no attention. Mourning Doves were audibly calling the entire time of the walk, but we never saw one. Somewhere along here, a pair of hummingbirds sped by too fast to identify (though my guess is they might have been Anna's).



We took the west (righthand) fork of the loop first, the sunnier side. It was beginning to get hot there, and it seemed the birds had taken cover. Though this stretch is good for orioles and flycatchers, we didn't see any. At the top of the loop, we took the unpaved extension of the trail up to the staircase bridge, and from there ventured a little way up along the creek bed. Bedrock comes close to the surface right there, and just a few weeks before there had still been a few puddles left over from what little winter rain we got this year. Now there were only a couple of moist spots, but this is a good shady area, with large oaks and varied undergrowth, and it remains a good spot for birds.

And here we saw both a third Red-naped Sapsucker and a Ladder-backed Woodpecker, a family group of four or five Mexican Jays, a Black-throated Gray Warbler, and, best of all, a male Hepatic Tanager, a little ways off, but clear to see.

On the way back down to the paved loop, we heard a single Chipping Sparrow and another Ash-throated Flycatcher, of which a few of us had a glimpse. And there was a Verdin, directly beside the trail, both its yellow face and its reddish shoulder patch visible. Yellow-rumped Warblers appeared again in the trees along the creek. Back on the loop, a Broad-billed Hummingbird sat for a few seconds atop a bush – the only hummingbird we saw clearly all morning. Best of all, though, was a Painted Redstart, flashing its tail and posing, as they do, and staying in view for several minutes. With it was a Western Flycatcher, which stayed in view for all of two seconds. By the time we'd gotten back to the parking area, we had seen a fourth Sapsucker, an unusually high number, another Black-throated Gray Warbler, and a Say's Phoebe flying by.

In all, some twenty species seen, and among them several of the standouts among Madera Canyon's birds: the Zone-tailed Hawk, the Hepatic Tanager, and the Painted Redstart. That's enough to make any birdwalk a success. Good luck to the Scouts working on their Birding Merit Badge!



# Wanted: new sightings of the *Western Yellow-Billed Cuckoo*

**Dave DeGroot**

**The Western Yellow-billed Cuckoo (*Coccyzus americanus*)** has caught the attention of people opposed to Hudbay's Copper World Mine in the northern Santa Rita Mountains. The bird will probably migrate into our mountains at the end of May or early June, and opponents of the mine are realizing that this bird, which has been listed as *Threatened* by the U.S. Fish and Wildlife Service, could show up in the middle of beautiful land that Hudbay wants as a tailings dump.

Friends of Madera Canyon are asked to help document this bird in a very particular area: along either side of Forest Road 231 from Rosemont Junction, northeast 1 mile toward the Arizona Hiking Trail Crossing. This is exactly where the March 23 Barrel Canyon BioBlitz occurred (see BioBlitz "Executive Summary" attached). Six or eight Friends of Madera Canyon participated in this landmark plant and animal study in March. Experience in the BioBlitz area is unnecessary, though – anyone is encouraged to take a high-clearance vehicle out to Rosemont Junction and join the hunt for *Coccyzus americanus*.

Photo of Western Yellow-billed Cuckoo photo by Greg Lavaty. Used with permission.





BioBlitz organizers say one or two sightings would be significant, but multiple sightings by a number of people would be even better. Each sighting should be well documented, with details about date, exact location, time of day, surroundings, and – if possible – a photo of the bird. If two observers see the bird, both could document it and corroborate the sighting. There is no timeline restriction – any date would be OK. The Rosemont Junction location is important. Sightings can also be uploaded into iNaturalist with the full name of the observer (not an avatar, username, nickname or handle).

**A sighting is possible.** This species of cuckoo has appeared now and then in Madera Canyon. It is listed as “uncommon” but not “rare” or even “irregular” in our Birds of Madera Canyon pamphlet. In other words, it does hang out in our mountains.

Madera Canyon Docent Dave DeGroot, co-organizer of the highly successful March BioBlitz, can provide more information. His email address is [SouthArizonaDave@Gmail.com](mailto:SouthArizonaDave@Gmail.com) . If you should observe a Yellow-Billed Cuckoo near Rosemont Junction, please contact Dave or the Friends of Madera Canyon Education Director. This little bird could have an outsized impact on plans that will destroy Rosemont Valley in the northern Santa Rita Mountains.

**[Click here for The BioBlitz “Executive Summary” PDF](#)**

# ***Earth Day Celebration at Madera Canyon***

## ***With Friends of Madera Canyon***

**Jean Martin**

It started with an idea by Dan White to involve the community in our work. Michele Gazica with the Preservation and Maintenance committee ran with it and transformed Dan's idea into a wonderful celebration and collaboration with many other like-minded individuals and groups. On Saturday, April 26, we all gathered at the top of Mt. Wrightson parking area to naturalize, restore and protect some of the most impacted areas in Madera Canyon identified by the US Forest Service.

Wild Arizona registered all participants and provided hard hats, water and tools. Board to members who are not part of the Preservation and Maintenance Team showed up to support the event by checking in volunteers, handing out safety equipment and serving breakfast burritos supplied by Posada Java to the participants. The morning was also supported by the Knights of Columbus who assisted with parking. True Value Hardware donated protective eyewear, and Summit Hut provided financial support.

Dan White, President of Friends of Madera Canyon, talked about the first Earth Day launched by Gaylord Nelson on April 22, 1970. What started as a small event has reached 1 billion people in more than 193 countries. The volunteers at Madera Canyon included members of the Friends' Preservation and Maintenance Team, the Green Valley Hiking Club, the Sahuarita Hiking Club, the Scouts of Troop 247 and their parents, Wild Arizona and Jim Beck, volunteer Forest Service Ranger. Dexter Kopas from Wild Arizona reviewed safety procedures and formed three teams to work on designated areas near the Old Baldy trail and upper picnic areas that have been overused and needed to be naturalized and protected from further impact.

The teams worked diligently from 8:00 am until 1:00 pm and restored all the areas designated by the Forest Service. Although tired from the workout, everyone felt satisfied and shared a great sense of accomplishment. With all the recent cuts to the National Park Service, volunteer events are now needed more than ever to protect our public lands. A big THANK YOU to everyone who participated. We will make this an annual event! Photos continue on the next page.









# *The Editor's Desk*

## The Endangered Species Act is in TROUBLE!

The Federal government intends to alter the regulations of the Endangered Species Act.

They want to change the regulation that has allowed the word "harm" to include habitat loss and change the rule to define "harm" as only actions that directly affect an individual. Based on a dissenting argument by three Supreme Court Justices in a case that upheld the habitat focus they say they are "undertaking this change to adhere to the single, best meaning of the ESA."The argument claims that "harm" has always meant direct harm to an individual only. Needless to say we disagree.

**See full text of an article from the Morning Edition below.**

We also suggest you read the actual Endangered Species Act of 1973 (Endangered Species Act of 1973), especially the text of the first page referred to as "Findings". It is clear just from this text that the ESA was enacted to include the "consequence of economic growth and development untempered by adequate concern and conservation" and that the act applies to "species of fish, wildlife, and plants (that) have been so depleted in numbers that they are in danger of or threatened with extinction".

FoMC is preparing a letter with a comment. It is preposterous to claim that habitat degradation and loss do not "harm" individuals as well as populations. No habitat, no individuals left.

You can write your own letter if you wish. We suggest you stick to the item at hand, the definition of "harm" and its consequences for listed species. Emoting does not help. **Comments are due by May 19 as follows:**

A plain language summary of this proposed rule is available at <https://www.regulations.gov> in Docket No. FWS-HQ-ES-2025-0034. You may submit comments by one of the following methods:

(1) Electronically: Go to the Federal eRulemaking Portal: <https://www.regulations.gov>. In the Search box, enter FWS-HQ-ES-2025-0034, which is the docket number for this rulemaking.

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Then, click on the Search button. On the resulting page, in the panel on the left side of the screen, under the Document Type heading, check the Proposed Rule box to locate this document. You may submit a comment by clicking on "Comment."

(2) By hard copy: Submit by U.S. mail to: Public Comments Processing, Attn: FWS-HQ-ES-2025-0034, U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

**We request that you send comments only by the methods described above. Comments must be submitted to <https://www.regulations.gov> before 11:59 p.m. (Eastern Time) on the date specified (May 19, 2025).**

#### **Summary article:**

Destroying endangered species' habitat wouldn't count as 'harm' under proposed Trump rule

APRIL 17, 2025 5:00 AM ET - HEARD ON MORNING EDITION, Jonathan Lambert

The Trump administration is proposing to significantly limit the Endangered Species Act's power to preserve crucial habitats by changing the definition of one word: harm.

On Wednesday, the administration proposed a rule change that would essentially prohibit only actions that directly hurt or kill actual animals, not the habitats they rely on. If finalized, the change could make it easier to log, mine and build on lands that endangered species need to thrive.

"Habitat loss is the biggest single cause of extinction and endangered species — it makes sense to address it," said Brett Hartl, government affairs director at the Center for Biological Diversity. He called efforts to deny that cause "callous and reckless."

"Any conservation gains species were making will be reversed — we're going to see losses again," he said.

Under the Endangered Species Act, it's illegal to "take" an endangered species. By law, "take" is defined to mean actions that harass, harm, or kill species. For decades, federal agencies have interpreted "harm" broadly, to include actions that modify or degrade habitats in ways that impair endangered species' ability to feed, breed or find shelter.

That interpretation has been a crucial part of how the Endangered Species Act has protected over 1,700 species since its passage in 1973, said Hartl. It's helped preserve spawning grounds for Atlantic sturgeon, allowing them to mate and sustain the population. It has protected old-growth forests in the Pacific Northwest that house northern spotted owls, saving them from extinction.

In the 1990s, timber companies that wanted to harvest those old-growth forests challenged the government's broad interpretation of harm. The Supreme Court ultimately upheld that interpretation in a 6-3 decision.

CONTINUED ON NEXT PAGE

In a dissenting opinion, Justice Antonin Scalia disagreed with that interpretation. He argued that in the context of wild animals, "take" should be interpreted more literally, as an affirmative act directed against a particular animal, not an act that indirectly causes injury to a population.

The Trump administration cites Scalia's argument in its proposal, saying it's "undertaking this change to adhere to the single, best meaning of the ESA."

Conservation experts argue that it makes no sense to adopt such a narrow definition of harm. "If you're a prairie chicken in the Southwest, and there's an oil and gas developer and they want to destroy your prime breeding display grounds, the bird can't mate," said Hartl.

"You're not actually harming any of them directly," he said, but the end result is essentially the same.

The public has 30 days to comment on the proposed rule change. The move will also likely be challenged in court.

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A Coopers Hawk with its meal. Preadators rarely cause the extinction of their prey. The one exception is *Homo sapiens*. Photography JCM.

Send comments, articles, & announcements to:  
Friends of Madera Canyon Chatter Editor  
email: [FOMC.Chatter@gmail.com](mailto:FOMC.Chatter@gmail.com)

