

Groups challenge lynx decision

By SUSAN GALLAGHER
ASSOCIATED PRESS WRITER

HELENA, Mont. -- A twentyfold federal increase in land designated as critical habitat for the Canada lynx falls short partly by leaving the cat, which is protected under the Endangered Species Act, at too much risk from climate change, four environmental groups contend in a lawsuit.

In February, the U.S. Fish and Wildlife Service designated critical habitat across some 39,000 square miles in six states, up from 1,841 square miles in three.

The suit filed Tuesday in U.S. District Court in Missoula says that more habitat should have been designated in western Montana and eastern Idaho, and that the Fish and Wildlife Service erred in leaving Colorado's Rocky Mountains out of the designation entirely. The suit by the Sierra Club, the Alliance for the Wild Rockies, the Native Ecosystems Council and the Center for Native Ecosystems seeks court-ordered reconsideration of the Fish and Wildlife decision, but does not specify how much additional land the groups want designated.

"For the lynx to survive in a changing climate, the Fish and Wildlife Service must provide appropriate habitat and create wildlife corridors that will allow for migration as temperatures rise," Bruce Hamilton of the Sierra Club said in a statement.

Lynx prey on snowshoe hares, depend on snowy areas and are particularly vulnerable to the effects of climate change, the suit says. Greater coverage of higher-elevation areas would be among the benefits of an expanded designation, the groups said.

Fish and Wildlife Service spokeswoman Diane Katzenberger in Denver said Wednesday that "we stand by the critical habitat designation and we believe it is adequate to protect lynx." For an animal already protected by the Endangered Species Act, a critical habitat designation may add a layer of review to land uses but only if certain triggers are met, Katzenberger said. Critical habitat identifies places with features essential for conservation of fragile species.

Federal officials found that a state-managed lynx project in Colorado did not produce a self-sustaining population, so lands in that state did not meet criteria for habitat designation, Katzenberger said. The lawsuit said a breeding population exists.

Designation of the roughly 39,000 square miles was reached when the Fish and Wildlife Service revised a Bush administration decision influenced by Deputy Assistant Interior Secretary Julie MacDonald. She resigned in 2007 amid findings that she pushed federal scientists to alter conclusions drawn from some of their research. The lands now designated are in Washington, Montana and Minnesota, states that already had some lands classified as critical habitat for lynx, and in Wyoming, Idaho and Maine, which are new to the list.

Critical-habitat designations may restrict how land is used, and the suit comes less than a month after one filed by Wyoming and Washington snowmobile groups challenging the lynx designation as a threat to snowmobiling. Shawn Sartorius, lead lynx biologist for the Fish and Wildlife Service in Helena, said in early May that the agency does not see "a basis for those fears."