

Golden-Cheeked Warbler Timeline

The Golden-cheeked Warbler, a migratory songbird that breeds exclusively in the Ashe juniper-oak woodlands of Central Texas, was listed as endangered in 1990 due to rapid habitat loss from development. Although a recovery plan was released in 1992 and population estimates have improved, the species remains threatened by ongoing habitat fragmentation, wildfires, and climate change. The timeline below highlights key milestones in its conservation and the legal battle that continues to shape its status under the Endangered Species Act.

1990

- Identified and designated portions of land in 33 Central Texas counties as critical habitat.
- Emergency listing issued May 4, and finalized December 27, prompted by habitat loss in Central Texas.

1992

- U.S. Fish and Wildlife Service (USFWS) releases recovery plan and created Balcones Canyonlands National Wildlife Reserve to conserve breeding habitat.

2015-2016

- June 2015: Texas Public Policy Foundation (TPPF) files petition to delist/downlist, citing improved data
- June 2016: USFWS denies petition, explaining that the warbler still faces serious and growing threats including urban development, shrinking and fragmented habitat, more frequent wildfires, climate change, and increased noise and light pollution.

2017-2020 (First legal battle)

- 2017: Texas General Land Office (GLO) and TPPF sue USFWS in 5th Circuit Court.
- July 2020: 5th Circuit rules USFWS was wrong to reject the petition so early, and they had to give it a fair look.

January 2022 (Beginning of second legal battle)

- GLO files a new lawsuit alleging the second denial ignored court order and stresses economic losses like land intended to fund schools or state programs.

September 2024

- The court decided USFWS had unfairly rejected the delisting petition using the wrong standards, and the court ordered USFWS to re-evaluate the petition properly.

January 2025

- The USFWS released a 5-Year Review saying the Golden Cheeked Warbler population is larger than before but still faces threats, and they recommend downlisting the bird from endangered to threatened, instead of completely removing it.

January 2025

- January 14: Rather than fighting the ruling, the Department of Interior (DOI) and USFWS chose not to appeal, effectively agreeing to redo their decision.
- January 17: USFWS issues a new 90-day finding where they determined there is enough evidence to carry out a full 12-month review of the petition. This move is considered a victory by Texas officials.

June 20, 2025

- Texas General Land Office calls for delisting golden-cheeked warbler from Endangered Species Act completely, despite USFWS's recommendation of downlisting the bird to "threatened."

Legal Positions

- For delisting/downlisting:
 - Genral Land Office, Texas Public Policy Foundation, Texas landowners, and Commissioner Buckingham argue protections burden land use, claim the population is healthy, and the threats are manageable.
- For maintaining endangered status:
 - Defenders of Wildlife, USFWS, Earthjustice, Save Our Springs, and Audubon groups cite ongoing habitat loss, stressed ecosystems, and the legal burden of weakening Endangered Species Act (ESA) safeguards.

Legal and Policy outcomes so far

- 2020: 5th Circuit Court remands original position decision.
- 2024: District Court orders USFWS to reassess their decision.
- Jan 2025: USFWS drops appeal and issues 90-day finding (full review underway)
 - 5-Year Review advises downlisting (not yet final)

Key Reports and Reviews

- 1992- Recovery Plan and habitat reserve initiation
- Jan 7, 2025- 5-Year Status Review
- Jan 17, 2025- 90-day finding on delisting petition
- Early 2025- 12-month review and upcoming proposed rule