

# GO San Angelo Standard-Times

## Dune lizard left off endangered list

By Trish Choate

June 13, 2012

Officials opted not to bestow endangered species protections on the sand dune lizard. Associated Press file



WASHINGTON — The federal government decided not to list the dunes sagebrush lizard as an endangered species, much to the delight of the oil and gas industry, landowners and the West Texas congressional delegation.

Some environmental groups were far from delighted at the decision announced Wednesday regarding the little lizard that lives in the Permian Basin, an energy development area in West Texas and southeastern New Mexico.

Environmentalists object to the same thing federal and Texas state officials and energy groups are rejoicing over: an unprecedented voluntary conservation plan with no means of enforcement.

Federal officials said they expect state governments in Texas and New Mexico, landowners and energy producers to carry through on their states' respective plans to conserve and restore the lizard's habitat. If not, the U.S. Fish & Wildlife Service can always move to list the lizard as an endangered species again.

Congressman Mike Conaway, whose district includes San Angelo, was among those leading the charge against the proposal to give the lizard protections extended under the Endangered Species Act.

"I am hopeful that in the future, Fish and Wildlife will look first to negotiate voluntary agreements with local communities rather than dictate blanket orders from Washington," Conaway, a Republican from Midland, said in a statement.

Texas Sen. John Cornyn, a Republican, also opposed the listing, but Wednesday he was in the unusual position of praising a decision from President Barack Obama's administration.

"Today's decision shows the value for local input and due diligence when it comes to federal regulation," Cornyn said in a conference call Wednesday.

West Texas Congressman Mac Thornberry, a Republican from Clarendon, also hailed the decision.

"It's one step toward common sense," Thornberry said. "In a lot of ways, even considering listing this lizard didn't even pass the laugh test."

The Texas Association of Business, Conaway, Cornyn and West Texas Rep. Randy Neugebauer believed listing the tiny lizard as endangered would stand in the way of jobs in a down economy.

It would have negatively affected energy producers, farmers and ranchers, said Neugebauer, a Republican from Lubbock, in a statement Wednesday.

"It could have devastated our local economy by severely limiting energy production and agricultural activities," Neugebauer said.

The Independent Petroleum Association of American commended oil and gas producers "for making the case to the administration that economic development and wildlife conservation can go hand in hand," a media release said.

The IPAA went on to tout environmental stewardship as a "fundamental pillar" for independent producers.

The Center for Biological Diversity disagreed with the Republican lawmakers and the IPAA while also rejecting the idea that protecting the lizard would impact jobs.

The environmental organization, which petitioned for the lizard's addition to the endangered species list, said the administration caved to pressure from the oil and gas industry.

"This decision by the Obama administration to toss aside the Endangered Species Act and bow to the wishes of the oil and gas industry is not only bad news for this rare lizard but sets a dangerous precedent for other declining species," Taylor McKinnon of the center said in a news release.

The lizards live in sand dunes, benefitting from shinnery oak trees providing food, shade and a breeding ground, according to the center. The lizard buries itself in the cool sand to avoid predators and regulate its body temperature.

But oil and gas drilling, as well as ranchers using herbicide to get rid of shinnery oak because it's toxic to cattle, have eaten into the lizard's habitat.

Conservation group WildEarth Guardians said the proposal to list the lizard has been the subject of manufactured controversy over jobs and the oil and gas industry.

"The lizard occupies a tiny patch of habitat in the basin," said a WildEarth Guardians statement released Wednesday. "Oil and gas drilling would have been unaffected by conservation actions in more than 99 percent of the region if the lizard was listed."

Salazar said some environmental groups "may just want to keep the conflict going for conflict's sake."

On Wednesday, the theme was cooperation among business interests and state and federal governments.

Salazar said more than 650,000 acres — 88 percent — of the lizard's habitat will be protected under voluntary conservation plans drawn up with stakeholders in Texas and New Mexico.

"The choice between jobs and conservation is in fact a false choice," he said.

U.S. Fish & Wildlife Director Dan Ashe said federal officials determined the lizard is no longer in danger of extinction and unlikely to become endangered, based on an analysis of the conservation plans.

"There's clear evidence and compelling evidence that these cooperative conservation agreements are going to be effective," Ashe said Wednesday in the conference call with Salazar.