



Lizard protections sought in Southwest amid US oil boom

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ALBUQUERQUE, N.M. — A small lizard found among the dunes straddling New Mexico and West Texas in one of the nation's richest oil basins is at the center of a legal complaint filed Tuesday.

Environmentalists want the U.S. government to add the lizard to the endangered species list as part of a fight that stretches back to the Bush and Obama administrations and could affect part of the multibillion-dollar energy industry in the Permian Basin.

The Center for Biological Diversity and Defenders of Wildlife filed the complaint in federal court in Washington. It follows a listing petition that the groups submitted in May 2018.

The U.S. Fish and Wildlife Service had 90 days to consider the petition and initiate a review of the species if necessary, but the groups say the agency failed to take action.

The complaint claims more than 2.5 square miles (6.5 square kilometers) of the lizard's habitat was destroyed in the 18 months prior to the filing of the petition. The groups say the need for listing is urgent as drilling and development continue in the region.



In this May 1, 2015 file photo, a dunes sagebrush lizard is shown. The dunes sagebrush lizard is found among the dunes straddling New Mexico and West Texas in one of the nation's richest oil basins and is at the center of a new lawsuit. Environmentalists want the federal government to add the lizard to the endangered species list. The fight stretches back to the Bush and Obama administrations and could affect part of the multibillion-dollar energy industry in the Permian Basin. (U.S. Fish and Wildlife Service via AP, File)

“It’s past time for the Trump administration to listen to the science and take the necessary steps to protect this rare species,” said Jason Rylander, an attorney with Defenders of Wildlife.

Fish and Wildlife spokeswoman Beth Ullenberg said the agency would not comment on the pending litigation but it is working with partners toward “an outcome that is protective of the dunes sagebrush lizard as well as providing regulatory certainty and continued economic growth in the region.”

The lizard is native to a small area of southeastern New Mexico and West Texas. It’s found only in sand dune complexes that have shinnery oak.

Federal biologists have said the primary threat to the lizard is oil and gas development near the dunes and oak removal stemming from the need for more forage for grazing.

The Center for Biological Diversity first petitioned for the lizard’s protection in 2002, resulting in a 2010 finding by federal wildlife managers that the species warranted protection because of threats from drilling and habitat destruction.

That prompted an outcry from some members of Congress and communities in both states that rely on oil and gas development for jobs and tax revenue.

Several GOP congressional members sent a letter to Obama administration officials asking to delay a final decision.

In 2012, federal officials decided not to bestow endangered species protections on the reptile. Then-U.S. Interior Secretary Ken Salazar said at the time that the much-anticipated decision over the lizard was based on the “best available science” and because of voluntary conservation agreements in place in New Mexico and Texas.

Some elected officials had hoped the compromise could signal a shift in the way the government deals with plants and animals awaiting federal protections.

U.S. Sen. Tom Udall was among them. The New Mexico Democrat said at the time that such agreements had potential.

As oilfield technology advanced, the environmental groups say the conservation plans didn’t go far enough to address threats from the evolving industry.

They say it’s not clear whether a new plan being developed by the Fish and Wildlife Service will be adequate to protect the species.

Industry officials defended their efforts to protect the species, saying Tuesday that oil companies have spent time and millions of dollars on conservation projects.

“In our operations, we are always looking to improve our processes and their outcomes. Improvements to conservation efforts are no different,” said Ben Shepherd, president of the Permian Basin Petroleum Association. “We don’t agree with the mischaracterization of facts made by anti-energy groups and won’t allow them to discourage these protection efforts.”