



## FWS sued over threatened lizard in oil patch

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Two wildlife conservation groups sued the Trump administration yesterday, asking a judge to help a threatened lizard whose habitat is in the middle of the Permian Basin oil field.

Defenders of Wildlife and the Center for Biological Diversity filed the suit in the U.S. District Court for the District of Columbia, saying the administration missed a series of deadlines to protect the dunes sagebrush lizard.

The lizard has a narrow range of habitat in a stretch of sand dunes covered by scrub oak trees in Texas and New Mexico. The area, known as the Monahans Sandhills, is not only near the center of the Permian Basin, which produces about 2.5 million barrels of oil a day, it's also become a primary source of the sand used for hydraulic fracturing in the region (Energywire, July 24).

Previous efforts to protect the lizard and its habitat, including an industry-backed plan developed by the Texas comptroller's office, have fallen short, the suit says.



The dunes sagebrush lizard is being considered for Endangered Species Act protections.

Steve Harbula/Flickr

“We will not allow the dunes sagebrush lizard to be further victimized by political delay,” Jason Rylander, senior counsel at Defenders of Wildlife, said in a statement.

Ultimately, the groups want the Fish and Wildlife Service to develop a plan to prevent the lizards from being harmed and preserve their habitat. The suit also names Interior Secretary David Bernhardt and FWS Principal Deputy Director Margaret Everson as defendants.

“The first step is to force the administration to make a science-based decision on whether the species is endangered. They’ve had plenty of time to do that,” Rylander said in an interview.

FWS referred questions to the Department of Justice, which said it was reviewing the suit. The Texas Oil and Gas Association said the industry is already working to protect the lizard.

“More lawsuits are not needed,” association President Todd Staples said in a statement. “Industry has and continues to deploy significant resources to benefit the species.”

FWS has considered listing the lizard as threatened or endangered since 1982 and published a rule in 2010 saying the animal faced “immediate and significant threats” from oil development and other incursions. The service withdrew the 2010 decision in 2012, saying Texas’ state-led plan would preserve the lizard’s habitat.

Since then, the oil industry has grown exponentially, particularly around the Monahans Sandhills. Oil production in the Permian Basin has more than quadrupled since 2010, and 16 sand mines have opened in a 20-by-40-mile area around the sand hills.

The conservation groups estimate that 1,600 acres of the dunes habitat were lost in 18 months. They filed a separate petition with FWS last year seeking to get the lizard listed as an endangered species. The Endangered Species Act requires the service to respond to a petition within 12 months.