



Protecting Wildlife in the Southwest

Rep. Steve Pearce (R-N.M.) has proposed legislation to block protections for some of the Southwest's most imperiled wildlife, including the sand dune lizard and lesser prairie chicken. Without federal protection under the Endangered Species Act (ESA) and full funding of necessary ESA conservation programs, these animals and the sensitive habitat they depend on could be lost forever.

SAND DUNE LIZARD

The sand dune lizard, also known as the dunes sagebrush lizard, is a small brown reptile that inhabits a tiny sliver of southeast New Mexico and west Texas. The species relies on shinnery oak for shade and buries itself in the sand to regulate its body temperature. It is primarily active between April and October and feeds on ants, crickets, spiders and other small insects.



Status and threats

In 2001, the sand dune lizard was added to the list of ESA candidate species. The species has a listing priority number of 2 out of 12, which means it faces severe and immediate threats. The U.S. Fish and Wildlife Service (FWS) published a proposed rule in December 2010 to list the sand dune lizard as endangered.

The major threat to the lizard is the destruction of its shinnery oak habitat by oil and gas development, agriculture and off-road vehicle use. Today, the sand dune lizard no longer inhabits 86 percent of its historic range in Texas. In New Mexico, at least 40 percent of its shinnery oak habitat has been lost since 1982.

Inadequate conservation efforts

Since 2001, FWS has had the option of developing candidate conservation agreements with landowners to remove or reduce threats facing the sand dune lizard. Candidate agreements can contain regulatory "assurances" that if a species is eventually listed, the landowner will not be required to take any conservation measures beyond those identified in the candidate agreement.

On December 8, 2008, FWS finalized two candidate agreements for the sand dune lizard and the lesser prairie chicken in New Mexico. One of the agreements includes assurances that specifically address the concerns of farmers and oil and gas developers about regulatory requirements that would result from a listing. Approximately 200,000 acres of habitat have been voluntarily protected under these candidate agreements, yet the sand dune lizard remains in serious trouble.

While both agreements are an encouraging step for conservation, they cannot adequately protect either species. Given that only six private landowners and four oil companies have enrolled in candidate agreements within the lizard's range, FWS has now rightfully concluded that federal ESA listing is essential to protect this species, which state laws have failed to protect.

The sand dune lizard was listed as an endangered species under New Mexico's Wildlife Conservation Act in January 1995, but this law has failed to shield the lizard from its greatest threat, habitat destruction. Under Texas state law, the lizard is not protected as an endangered or threatened species.

LESSER PRAIRIE CHICKEN

The lesser prairie chicken is a mid-size, brown-and-white-striped member of the grouse family. These chicken-like birds forage for insects and nest on the ground in the open grasslands dominated by shinnery oak or sand sagebrush and are now found only in only in restricted areas of five states in the southern Great Plains.

Status and threats

In the 1880s, the lesser prairie chicken occupied 176,218 square miles across parts of Colorado, Kansas, New Mexico, Oklahoma and Texas. Today, the species occupies less than 15 percent of its historic range.

In 1998, FWS determined that ESA listing of the species was warranted and, 10 years later, assigned a listing priority number of 2 out of 12. Ongoing threats include loss of habitat from the conversion of native rangelands to cropland, severe over-grazing by livestock, energy development, fire suppression, the use of herbicide to destroy shinnery oak habitat, and continued habitat fragmentation due to land development and road-building.

Inadequate conservation efforts

In addition to the two New Mexico candidate agreements that also cover the sand dune lizard, the prairie chicken is covered by two other candidate agreements with assurances: one for oil and gas production and agricultural and ranching activities in Texas (finalized in 2006), and another for various activities on private land in Kansas (finalized in 2002). As of 2010, the Texas agreement has enrolled eight properties covering 111,052 acres. These agreements are important to conserving the prairie chicken, but are not enough to eliminate the need for listing the species under the ESA.



UPHOLDING OUR COMMITMENT TO GOOD STEWARDSHIP

Rep. Pearce is not only putting the sand dune lizard and lesser prairie chicken in grave danger, he is undermining our nation's commitment to protecting imperiled wildlife. His is just the latest in a string of attacks on our bedrock environmental laws that substitutes dirty politics for sound science. We cannot allow America's wealthiest corporations to have veto power over wildlife conservation and run roughshod over any species that gets in their way. Congress must help preserve all our natural resources for future generations, especially those plants and animals on the brink of extinction.

Economic Benefits of Protecting Wildlife

Rep. Pearce and his backers in the oil and gas industry claim that saving America's wildlife is bad for the economy and will result in major job losses. In truth, the ESA is extremely flexible. It provides exceptions and alternatives that allow economic growth and protects species that generate ecotourism dollars in rural communities. For example:

- An analysis of 2010 to 2011 oil and gas leases shows that the Bureau of Land Management has declared less than one percent of public lands in southeast New Mexico off-limits due to protections for the sand dune lizard.
- Between 1998 and 2004, less than one percent of the 429,533 development projects that underwent consultation under the ESA were temporarily put on hold. And only one project out of more than 429,000 could not proceed; the rest were implemented after modification.
- In Woodward, Oklahoma, a well-attended festival celebrating the lesser prairie chicken had registrants from 15 different states and two provinces in 2009. In Milnesand, New Mexico, a similar festival now in its 10th year provides thousands of dollars to help maintain the community center and support the local fire department.