

Texas Endangered Species Issues



**Houston Bar Association
Environmental Section
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Who Decides to List a Species as Endangered?



- The U.S. Fish and Wildlife Service designates terrestrial and freshwater threatened or endangered species
- The National Marine Fisheries Service designates saltwater threatened or endangered species

Very Abbreviated Process Description



- Person or group submits petition to federal agency
- Agency has 90 days to determine if petition contains “substantial” information
- If agency decides that it does contain "substantial" information, the agency has 12 months to decide whether listing is warranted
- See www.KeepingTexasFirst.org for more details

Endangered Species in Texas



The U.S. Fish and Wildlife Service currently lists 85 plants and animals found in Texas as endangered or threatened:

- A threatened species is one likely to become endangered in the foreseeable future, within all or a significant part of its native range.
- An endangered species is already becoming extinct throughout all or a significant part of its range.

Historic Number of Species Under Review



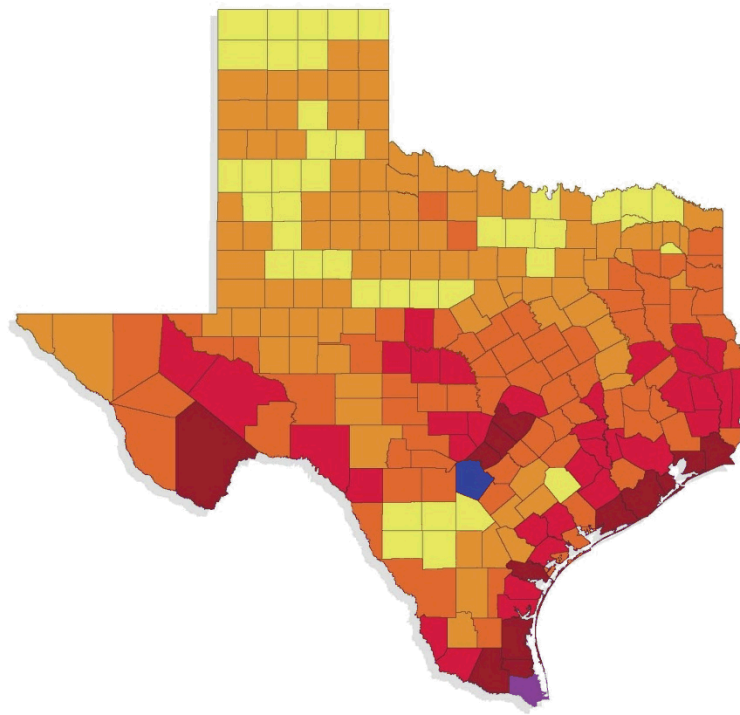
More than 100 species are under review in Texas

- Species currently under review for possible listing or changes to their federally designated critical habitat
- See www.KeepingTexasFirst.org for our list of species under review
- List is updated frequently as we become aware of additional species under review

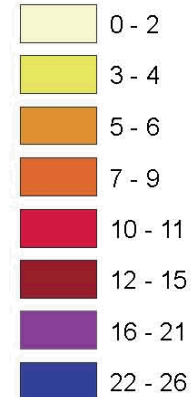
Texas Watch Species: Concentration by County



www.KeepingTexasFirst.org



Species Concentration



Source: Texas A&M University
11/01/2011

CPA Role in Endangered Species



Taking the Lead

- 2009 Legislature: Interagency Task Force on Economic Growth and Endangered Species
 - CPA (presiding officer), TPWD, TSSWCB, TDA, TXDOT
 - Provide policy and technical assistance to local governments and communities

CPA Role in Endangered Species



Taking the Lead

- 2011 Legislature: SB 1 – Support for Habitat Protect Measures
 - Authority to hold permits for conservation plans
 - Ensure confidentiality of information

Species of Concern

Dunes Sagebrush Lizard



Dunes Sagebrush Lizard



- Proposed for listing in December 2010
- Potential impact to oil and gas and ranching
- Fish & Wildlife decision by June 2012, following a six-month extension granted in December 2011
- Little scientific information on this species in Texas
- Texas Conservation Plan

Dunes Sagebrush Lizard Range

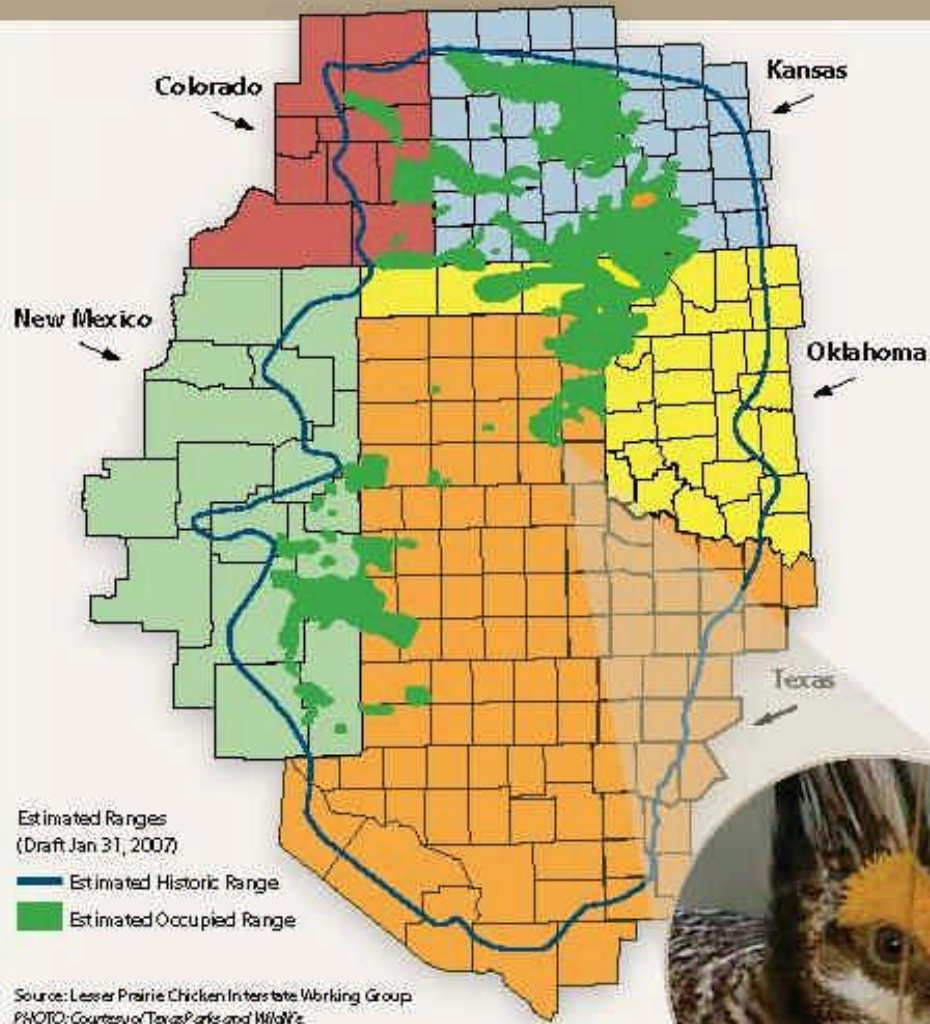


Species of Concern

Lesser Prairie Chicken



Estimated Lesser Prairie-Chicken Distribution



Species of Concern Freshwater Mussels



Texas Parks and Wildlife

Twelve Mussels Under Review



False spike

Golden orb

Louisiana pigtoe

Mexican fawnsfoot

Salina mucket

Smooth pimpleback

Texas pimpleback

Texas fatmucket

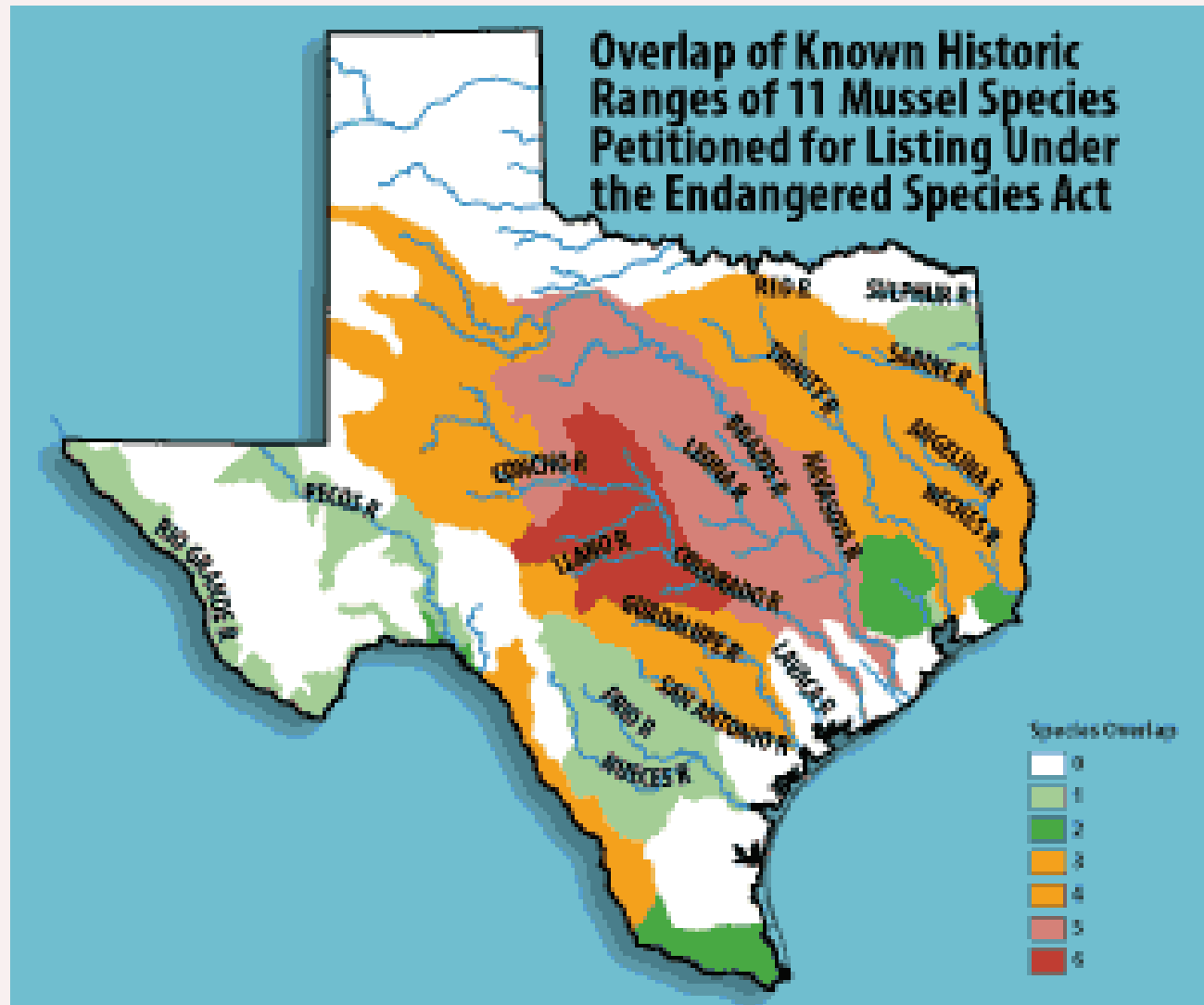
Texas heelsplitter

Texas fawnsfoot

Triangle pigtoe

Texas hornshell

Historic Range of Mussels of Concern



Species of Concern

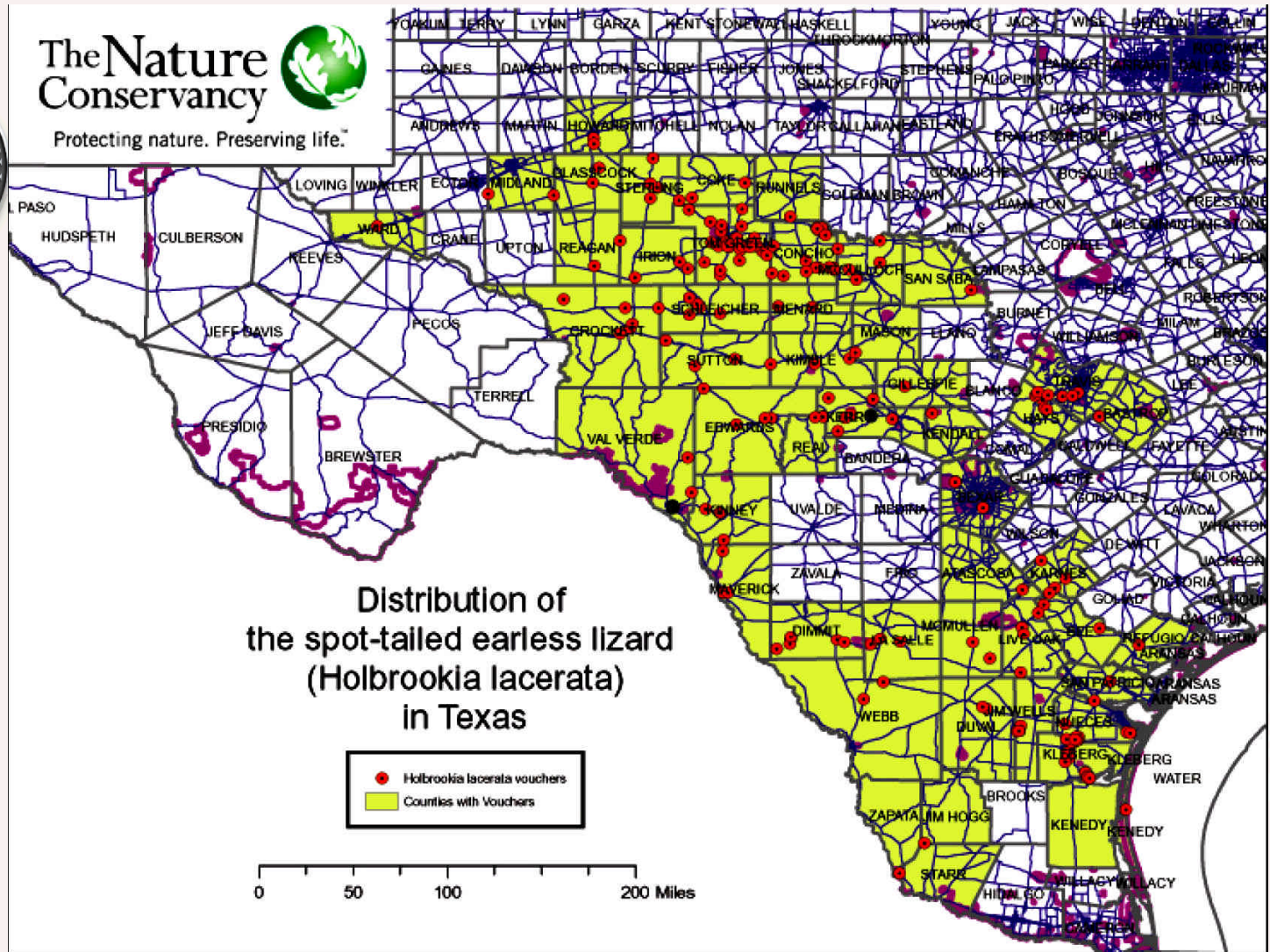
Spot-Tailed Earless Lizard



Spot-Tailed Earless Lizard Historic Range



The Nature Conservancy
Protecting nature. Preserving life.



Texas Considerations



- Locally driven process
- Ensure confidentiality of information
- Voluntary programs
- Must use “best available science” – need for more data

Why Science is Important

Golden-Cheeked Warbler



Golden-Cheeked Warbler



- “Emergency listed’ in 1990
- 1990 “Best available science” was that total range-wide male population was less than 20,000
- July 2000 biological opinion stated that Fort Hood had 70 percent of the known population

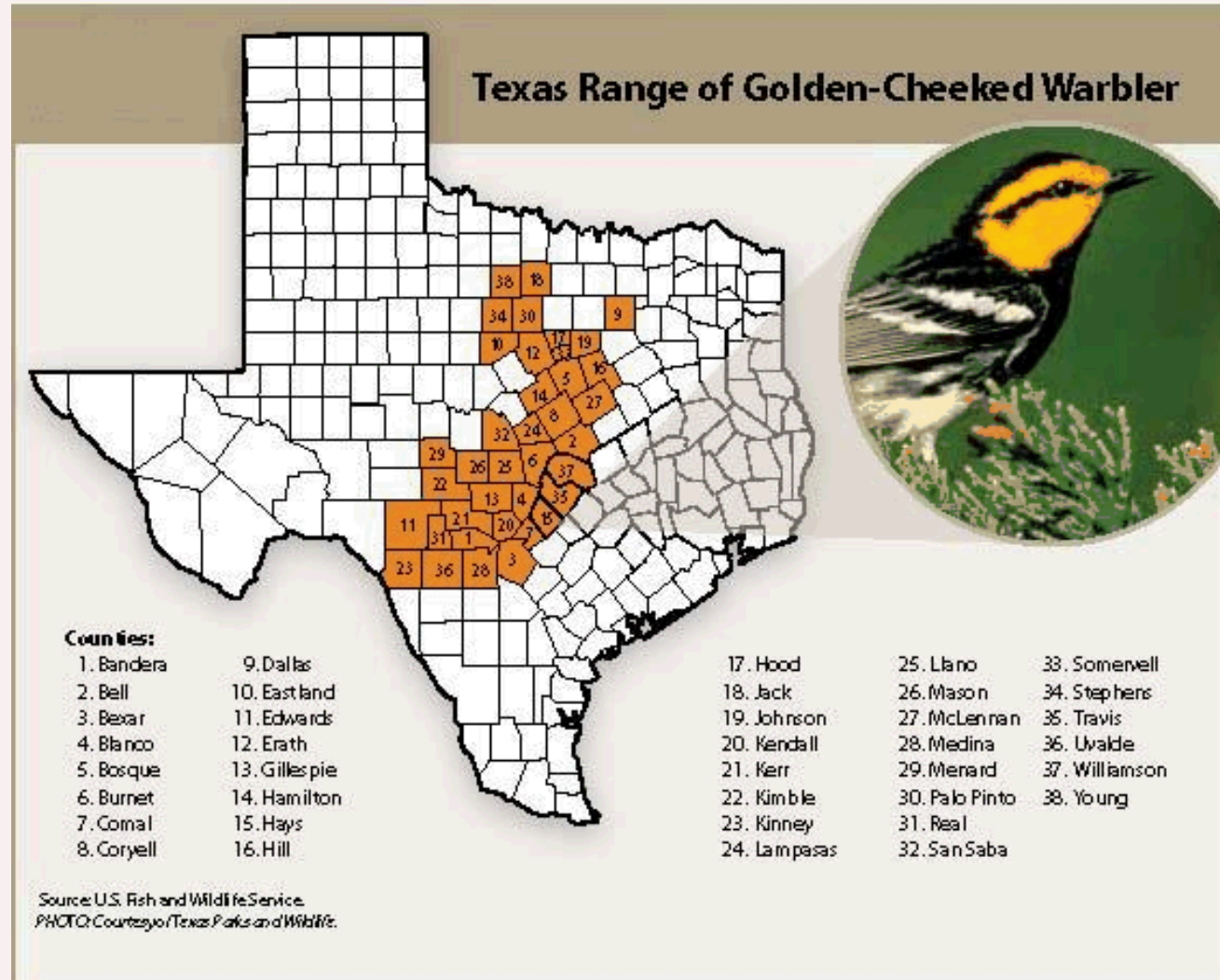
Golden-Cheeked Warbler



- Recent Texas A&M survey shows that range-wide population is greater than 220,000
- Less than five percent of this population is on Fort Hood property

Species of Concern

Golden-Cheeked Warbler



Why Science is Important Johnston's Frankenia



Johnston's Frankenia



- The Fish & Wildlife Service listed Johnston's frankenia as endangered in 1984 claiming that only 1,500 individual plants remained
- After the plant was listed, population surveys discovered that more than 4,000,000 individual plants existed
- FWS proposed delisting in 2011.

Stay Informed



www.KeepingTexasFirst.org

The screenshot shows the top section of the TexasAhead website. At the top left is the "TexasAhead" logo with the tagline "Economic Resources for Growing and Governing Texas". To the right is the name "Susan Combs" and her title "Texas Comptroller of Public Accounts". Below this is a navigation menu with links: HOME, SPECIES IN TEXAS, SPECIES LISTING PROCESS, IMPACT, AIR REGULATION, WATER REGULATION, DATES AND DEADLINES, RESOURCES, and CONTACTS. The main banner features a photograph of a man in a cowboy hat and vest standing in a field of tall grass, holding a fishing rod. The text "Keeping Texas First" is prominently displayed in large white letters, with the subtitle "Tracking the Economic Impact of Federal Action on Endangered Species, Air and Water" in smaller green letters below it. A small copyright notice "© Chase Fountain TPWD" is visible in the bottom right corner of the banner image.

Questions, Comments, and Discussion



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