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News Release



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FISH AND WILDLIFE SERVICE REOPENS PUBLIC COMMENT PERIOD ON PROPOSED LISTING OF FLAT-TAILED HORNED LIZARD

Comments specifically requested on historical range of the species

The U.S. Fish and Wildlife Service published a notice in today's Federal Register announcing the reopening of a public comment period on its reinstatement of the 1993 proposed rule to list the flat-tailed horned lizard (*Phrynosoma mcallii*) as threatened under the Endangered Species Act.

In a 2005 challenge to the withdrawal of the proposed listing of this species under the Act, the U.S. District Court for the Southern District of California ordered the Service to analyze the historic habitat of the lizard, habitat that has been lost, and whether the lost habitat constitutes a significant portion of the species' range.

During the comment period, the Service is specifically requesting information relevant to the issue of the flat-tailed horned lizard's lost historical habitat. The Service is required to make a final listing determination on or before the date six weeks after the close of this additional public comment period.

Comments and information can be submitted in writing to the Field Supervisor, Carlsbad Fish and Wildlife Office, 6010 Hidden Valley Road, Carlsbad, California 92011, by facsimile to 760/431-9624, or by electronic mail to fw8cfwocomments@fws.gov. All comments and information must be received by close of business May 8, 2006.

Comments previously submitted to the Service during prior comment periods on the proposed rule need not be resubmitted as they have been incorporated into the public record and will be fully considered in preparation of the final determination.

The flat-tailed horned lizard has a wide, flattened body, with a short tail. It measures about 3.2 inches in length, excluding the tail, and can be distinguished from other horned lizards by a dark stripe running down its back, the presence of two slender, elongated occipital spines, and the

absence of external ear openings. These desert reptiles feed almost exclusively on native harvester ants, consuming about 150-200 ants per day.

Flat-tailed horned lizards inhabit the arid valleys and flat lands of the western Sonoran desert. The species' range includes the Coachella Valley in Riverside County, California; the Imperial and Borrego Valleys in San Diego and Imperial counties, California; southwestern Arizona; and northeastern Baja California and northwestern Sonora, Mexico.

On November 29, 1993, the Service published a proposed rule to list the flat-tailed horned lizard as threatened, under the Act. The proposed listing was first withdrawn in 1997, based on a signed agreement to implement a Rangewide Management Strategy for conservation and management of sufficient habitat to maintain viable populations of the species throughout its geographical range.

The decision to withdraw the proposed listing was challenged in court by Defenders of Wildlife. The U.S. District Court for the Southern District of California upheld the Service's decision to withdraw the proposed rule in 1999, but the case was appealed. In a July 31, 2001, ruling the Ninth Circuit Court of Appeals vacated the District Court's ruling, and ordered the Service to reinstate the 1993 proposed rule and make a new final listing determination for the species.

In January 2003, the Service again withdrew the proposed listing of the flat-tailed horned lizard, based on a determination that the threats to the species were not as significant as earlier believed and current available data did not indicate threats to the species and its habitat were likely to endanger the species in the foreseeable future throughout all or a significant portion of its range.

A revised Rangewide Management Strategy for the species was released in 2003 and can be downloaded from the Internet at http://www.fws.gov/carlsbad/FTHL_Docs.htm.

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 95-million-acre National Wildlife Refuge System, which encompasses 545 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 69 national fish hatcheries, 64 fishery resources offices and 81 ecological services field stations. The agency enforces Federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign and Native American Tribal governments with their conservation efforts. It also oversees the Federal Assistance program, which distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to State fish and wildlife agencies.

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