

TEXAS DEPARTMENT OF AGRICULTURE

TODD STAPLES
COMMISSIONER



May 9, 2011

The Honorable Ken Salazar, Secretary
U.S. Department of the Interior
1849 C Street, N.W
Washington, D.C. 20240

Re: Comments on USFWS Proposal to List the Dunes Sagebrush Lizard As a Federal Endangered Species, FWS-R2-ES-2010-0041

Dear Secretary Salazar:

You can find no better conservationists than Texas farmers and ranchers who depend on healthy natural resources for our very livelihoods. Landowners in our state have a proud history of working cooperatively with federal and state entities to address endangered and threatened species, and I write today to express concerns about the U.S. Fish and Wildlife Service's (FWS) proposal to list the dunes sagebrush lizard (DSL) as a federally protected endangered species in West Texas.

As the agency responsible for implementing state and federal pesticide application and labeling laws, the Texas Department of Agriculture is concerned the proposed DSL listing exaggerates the threat of herbicide treatments to DSL habitat. Responsible application of pesticides may provide benefit to both habitat and production agriculture. Therefore, it is important for the FWS to determine if herbicides could be used to enhance DSL habitat, as has been accomplished with the lesser prairie-chicken.

Additionally, the proposal's broad reference to the negative impact of herbicide treatments creates concerns for farmers in West Texas. While crops are not generally grown in DSL habitat, the term "herbicide treatments," could be misconstrued to limit pesticide use throughout the affected counties, not just in the DSL habitat. This would prevent farmers from using valuable tools as they produce cotton, peanuts and grain sorghum and other important crops. Similarly, the FWS also identifies grazing as a potential threat the DSL; therefore, it is important the FWS consider the various grazing scenarios, including those at conservative stocking rates, to ensure ranchers maintain the ability to utilize their land.

Finally, I am generally concerned that listing the DSL as an endangered species would prove premature and neglect the efforts of local stakeholders and landowners to preserve habitat and reduce threats to the species. I assure you, voluntary participation accomplished through agreements like candidate conservation



agreements (CCA) and CCAs with assurances will produce more benefits than a top-down endangered species listing approach. In an area of the state where 3.1 million of the 3.4 million acres of land are in agriculture production, generating \$215 million in sales annually for local and state economies, actions to restrict the use of this land must prioritize stakeholder input and be based on a clear understanding of the impact to landowners, the species and the economy.

Thank you for your consideration of these comments. Please feel free to contact me if I may provide additional information or assistance.

Sincerely yours,

A handwritten signature in black ink that reads "Todd Staples". The signature is written in a cursive, slightly slanted style.

Todd Staples

TS/JB/kh