

COMMITTEE REPORTS

SPECIES, HABITAT, & OPERATIONS COMMITTEE (SHOC)

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The SHOC Committee meets bi-monthly to discuss important issues related to species and/or their habitat that may impact operations in the Permian Basin.

The SHOC submits the following Committee Report detailing significant issues that are being followed and worked by SHOC member companies.

Dunes Sagebrush Lizard (DSL)

On June 1, 2018, a petition to list the DSL was submitted to the U.S. Fish and Wildlife Service (FWS) by Center for Biological Diversity (CBD) and Defenders of Wildlife (DoW). FWS is working towards completing their 90-day finding determination; however, the statutory deadline of November 1, 2018 has passed.

A Candidate Conservation Agreement with Assurances (CCAA) for the DSL and Permit Application was submitted to FWS Region 2 on August 3, 2018. The Texas Comptroller for Public Accounts (CPA) has received written comments from FWS and CPA is working on written response to FWS. The latest version of the new CCAA was sent to PBPA members on October 22, 2018.

FWS plans to move very quickly and plans to have a National Environmental Policy Act (NEPA) document complete no later than February 2019.

A new habitat suitability map is being developed by Texas State University. The latest version of the map (shapefiles) were released by the CPA on August 1, 2018.

Lesser Prairie Chicken (LPC)

FWS did not publish 12-mo finding on LPC by the end of September as previously reported. There is no specified timeline for the publication of the finding or the Species Status Assessment.

Participation in the Range-wide plan has declined significantly. Industry enrollment is crucial at this point to preclude a listing and to maintain the Plan. Outreach to other trades for support of the Plan is being pursued by PBPA.

LPC surveys were completed in May showing bird populations are up from last year, continuing an upward trend over the last few years. The survey indicates an estimated breeding population of 38,637 birds this year, compared to 29,934 birds counted in 2017.

Texas Hornshell Mussel (TXHS) On March 12, 2018, the TXHS became an endangered species.

Monarch Butterfly

Committee members are watching activities around the Monarch Butterfly and the development of CCAA plans with Western Association of Fish and Wildlife Agencies (WAFWA) and the National Rural Electric Cooperative Association (NRECA).

Other Issues

Committee members submitted comments to FWS on the existing Mitigation Policy and the ESA Compensatory Mitigation Policy on January 5, 2018. The policies were withdrawn in July 2018. DOI issued reinterpretation of Migratory Bird Treaty Act that one cannot be held liable for taking a bird while engaging in otherwise lawful acts.

The next scheduled meeting is December 12, 2018 or sooner, if needed.