

FAQs for the DSL listing decision 6 month extension

Q – What action is the U.S. Fish and Wildlife (Service) taking?

A - The Service published in the *Federal Register* a 6-month extension of the final determination for the proposed listing of the dunes sagebrush lizard. In addition, the Service announced the reopening of the public comment period on this proposed listing for 45 days.

Q - Why is the Service taking this action?

A - The Service is taking this action in order to solicit additional scientific information and public comment before making any final listing determinations regarding the agency's proposal.

Public comments received since the publication of the proposed rule have expressed concerns regarding the sufficiency and accuracy of the data related to the dune sagebrush lizard's status and trends in New Mexico and Texas.

The Endangered Species Act (Act) requires that the Service take one of three actions within one year of a proposed listing: (1) finalize the proposed listing; (2) withdraw the proposed listing; or (3) extend the final determination by not more than 6 months, if there is substantial disagreement regarding the sufficiency or accuracy of the available data relevant to the determination, for the purposes of soliciting additional data.

Q – What does this extension do?

A – This extension will delay the decision of the proposed listing of the dunes sagebrush for 6 months beyond the date the decision would have originally been announced, allowing for additional comments to be received and evaluated by the Service before a final listing decision is made. **Based on the ESA, comments should be focused on the science that was used to support the listing proposal, or other science that has become available since the lizard was proposed for listing.**

The 45-day comment period will ensure the public has full access to, and an opportunity to comment on, all the available information we have received since the second comment period closed.

Q – What is a dunes sagebrush lizard and where is it found?

A - The dunes sagebrush lizard is a small, light brown lizard found in southeastern New Mexico and adjacent west Texas. This lizard is a habitat specialist native to a small area of shinnery oak dunes extending from the San Juan Mesa in northeastern Chaves County, Roosevelt County, through eastern Eddy and southern Lea Counties in New Mexico. In Texas, habitat is found in a narrow band of shinnery oak dunes in Gaines, Ward, Winkler, and Andrews Counties, with lizard occurrences in Andrews and Winkler Counties.

Q – Will I be able to submit comments?

A – Yes. If you previously submitted comments or information on the proposed rule, please do not resubmit them. The Service has incorporated them into the public record, and will fully consider them in the preparation of the final determination.

You may submit written comments by one of the following methods:

(1) *Electronically*: Go to the Federal eRulemaking Portal: <http://www.regulations.gov>. Search for Docket No. FWS–R2–ES–2010–0041, which is the docket number for this rulemaking.

(2) *By hard copy*: Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS–R2–ES–2010–0041; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042–PDM; Arlington, VA 22203.

We request that you send comments **only** by the methods described above. We will post all comments on <http://www.regulations.gov>.