Congress of the United States
Washington, DC 20515

June 15, 2021

The Honorable Deb Haaland
Secretary
U.S. Department of Interior
1849 C Street N.W.
Washington, D.C.

Dear Secretary Haaland,

We write to you today to express our deep concern regarding the recently announced proposal of the United States Fish and Wildlife Service (FWS) to list two distinct populations segments (DPS) of the lesser prairie-chicken (LPC) under the Endangered Species Act.

As you know, FWS under the Obama Administration listed the LPC as a threatened species under the Endangered Species Act in 2014. In 2015, the U.S. District Court for the Western District of Texas found that FWS conducted a flawed analysis of listing the LPC and ignored efforts of private landowners and the oil and gas industry to voluntarily protect the LPC. FWS complied with the court ruling and delisted the LPC in June of 2016. However, on May 26, 2021, FWS began an aggressive 12-month review process and rushed comment period to relist the LPC. FWS is at risk of repeating previous mistakes by severely limiting the input of stakeholders and rushing towards another flawed listing.

Current law provides FWS with discretion to prioritize critically impaired species, while giving lower priority to those species for which conservation efforts are already in place. There are currently extensive conservation measures underway and in development by states, landowners, and industry stakeholder that will benefit the LPC. The LPC population has increased by more than 50 percent since FWS began this process. The federal government has spent millions of dollars to conclude that the LPC population is ultimately stable. The recent proposal sets the stage to unnecessarily list the Northern DPS species from "threatened" to "endangered" in the future—a decision that would harm Kansas, Oklahoma, and Texas agriculture and energy producers while diminishing our successful public-private conservation practices—including the over 40,000 acres of habitat conservation voluntarily given to the species. Therefore, a one-year review of the LPC is completely needless.

The citizens of our states have long strived to protect wildlife and provide for livestock in the region. This area is still home to some of the most open and rural land in the country today. Pushing forward with relisting the LPC under the Endangered Species Act would adversely impact our constituents and their voluntary conservation efforts. We ask that you consider these

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concerns as you evaluate the priorities of FWS. We appreciate your consideration and we look forward to working with you.

Sincerely,

Ron Estes
Member of Congress

Tom Cole
Member of Congress

Frank D. Lucas
Member of Congress

Kevin Hern
Member of Congress

Jake LaTurner
Member of Congress

Tracey Mann
Member of Congress

Louie Gohmert
Member of Congress

Markwayne Mullin
Member of Congress