AUGUST PFLUGER
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RANKING MEMBER OF
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Congress of the United States
House of Representatives
Washington, DC 20515–4311

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HOUSE COMMITTEE ON
HOMELAND SECURITY & THE HOUSE
FOREIGN AFFAIRS COMMITTEE

June 16, 2021

The Honorable Deb Haaland
Secretary
Department of the Interior
1849 C Street NW
Washington, DC 20240

Dear Secretary Haaland,

We write regarding the U.S. Fish and Wildlife Service's (FWS) proposal to list the lesser prairie-chicken (LPC) under the Endangered Species Act (ESA). **This proposed listing will negatively impact rural economies and will be detrimental to ongoing conservation efforts. For those reasons, we urge you not to move forward with final listing of the LPC under the ESA.**

The Western Association of Fish and Wildlife Agencies' (WAFWA) Range-wide Candidate Conservation Agreement with Assurances (CCAA) for the LPC has been effective in conserving and growing the species. Under the LPC Range-wide CCAA, more than 180 oil and gas, agriculture, pipeline, electric transmission, and wind energy companies have enrolled in conservation agreements to avoid, minimize, or mitigate impacts to the LPC from their operations. Private industry has invested more than $64 million in enrollment and mitigation fees for conservation and over 6 million acres are enrolled in the partnership. These numbers don't even take into consideration the efforts carried out under individual CCAA's with Oklahoma, New Mexico and Texas and progress made under the Farm Service Agency's Conservation Reserve Program and the Natural Resources Conservation Services' Lesser Prairie-Chicken Initiative.

These voluntary public-private conservation partnerships for the LPC and its habitat have proven to be successful as recent aerial surveys indicate that the LPC's population has more than doubled since 2013, going from 15,397 to 34,408 in 2020. This includes a stable to increasing population in the Shinnery Oak Prairie Region where you have proposed an endangered listing.

A final ruling by the FWS to list the LPC also stands to negatively impact future private investment for conservation. Currently, WAFWA's Range-wide CCAA ensures that mitigation efforts are greater than impacts, resulting in a conservation benefit for LPC habitat, and ultimately populations. Once this listing is finalized, new acreage will be shut out of the CCAA, resulting in less investment and conservation efforts for the species.

Agriculture and energy production are the foundation and lifeblood of our states. The oil and gas industry contributed $2.8 billion to New Mexico in fiscal year 2020 which equates to 33.5 % of the state's budget. This funding supports schools, teachers, hospitals, and other public services that New Mexicans rely on. The Permian Basin accounts for more than 35% of total U.S. crude

oil production and more than 15% of total U.S. natural gas production. This proposed action will result in significant job losses while diminishing American energy security, forcing us to rely on other countries who do not have our best interests in mind and have less stringent environmental standards. Similarly, U.S. agriculture contributes $7 trillion to the U.S. economy and supports 40 million jobs nationwide. Unnecessary, unsound decisions stemming from Washington, D.C. will only serve to harm the livelihoods of the constituents we represent.

Additionally, the FWS notes in its proposed rule that the LPC "is particularly vulnerable to severe droughts due to being located in the dryer and hotter southwestern portion of the range." We do not believe that our constituents should be punished with an ESA listing when something out of their control is a significant obstacle for recovery.

Considering over 95 percent of the LPC's habitat is on private land and voluntary conservation efforts have been effective, it is disappointing that FWS would undercut private partners that have been diligently working towards a healthy recovery of the species. We urge you to continue prioritizing voluntary efforts – which has gained broad support from key stakeholders – as opposed to pursing a federal overreach that will be devastating for rural economies.

Thank you for your consideration of this request.

Sincerely,

August Pfluger
Member of Congress

Yvette Herrell
Member of Congress

Bruce Westerman
Member of Congress

Dan Newhouse
Member of Congress

Doug Lamborn
Member of Congress

Lauren Boebert
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