

**Congress of the United States**  
**Washington, DC 20515**

February 11, 2014

The Honorable Daniel Ashe  
Director  
US Fish and Wildlife Service  
1849 C St, NW  
Washington, DC 20240-0001

Dear Director Ashe,

We write today regarding January 31, 2014 enrollment by five oil and gas companies of nearly 1.5 million acres of land for conservation under the Lesser Prairie-Chicken Range-Wide Conservation Plan (Range-Wide Plan), the need to quickly finalize the approval of the oil and gas Candidate Conservation Agreement with Assurances (CCAA) for the Lesser Prairie Chicken, and to extend the final deadline for a listing decision to June 11, 2014. As you know, the US Fish and Wildlife Service (USFWS) endorsed the Range-Wide Plan in October 2013 as a “sound conservation plan for the lesser prairie-chicken.” We agree that this innovative plan shows the willingness of our states to collaborate in the interests of conservation and economic development.

However, these 1.5 million acres are just the tip of the iceberg. New Mexico previously enrolled more than 2.3 million acres into its longstanding CCAA. 73 landowners in Texas enrolled nearly 600,000 acres of suitable habitat for species conservation under its CCAA—a fivefold increase since 2010. Additionally, Oklahoma is awaiting approval for the enrollment 200,000 acres under its CCAA, with an additional 200,000-acre request pending with the USFWS. The total acreage within these three states, approximately 4.8 million acres, equates to the landmass of the states of Connecticut and Delaware combined.

Enrolled acreage will only increase with prompt approval of the oil and gas CCAA. Instead of never-ending reviews, the USFWS should quickly finalize this agreement, and allow enrollment in both the CCAAs and the Range-Wide Plan to proceed beyond the decision date for the lesser prairie chicken in order to accommodate for repeated delays throughout the review process.

Range-wide conservation efforts must also be given ample opportunity for success. Under the existing schedule, which was dictated by the 2011 settlement agreement, USFWS allowed sixteen months from the original publication of the proposed threatened listing for the LPC, which was proposed on December 11, 2012. Since

the ESA generally allows eighteen months for a listing decision when a six-month delay is requested, the statutorily allowed date for a decision should be June 11, 2014.

In addition, P.S. 113-76 (the Omnibus Appropriations Act of 2014) includes language urging USFWS to work with the courts to adjust deadlines in accordance with ESA statutory timelines. We strongly encourage the Service to return to the courts and amend the settlement agreement to extend the deadline until June 11, 2014. This will allow for the maximum enrollment in range-wide conservation plans, providing even more evidence that a threatened or endangered listing of the lesser prairie chicken is simply not warranted.

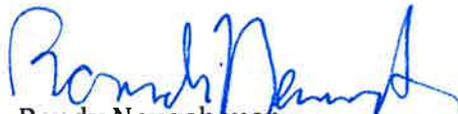
In the case of the lesser prairie chicken, the five states have taken the lead, and shown a willingness to engage all interested parties in a cooperative effort in order to protect the species and promote economic stability. As you stated last October, "We applaud the states' commitment to lead conservation actions across the bird's range." With the clear and growing success of these conservation plans, we urge USFWS to allow sufficient time for this unprecedented, range-wide conservation effort to succeed, by immediately finalizing the oil and gas CCAA and extending the decision deadline. We are confident that with the cooperation between states and stakeholders, the Service will conclude that a listing of the lesser prairie chicken is not warranted.

Thank you for your time. We look forward to your prompt response.

Sincerely,



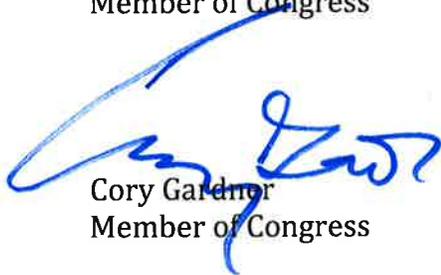
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Member of Congress



Randy Neugebauer  
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