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United States Senate

WASHINGTON, DC 20510-3603

June 20, 2013

The Honorable Daniel M. Ashe
Director
U.S. Fish and Wildlife Service
1849 C Street, NW
Washington, DC 20240

Dear Director Ashe,

As you know, a listing of the Lesser Prairie Chicken (LPC) would have a wide-ranging, negative impact on substantial economic activity in western Oklahoma. The adverse impact of a listing would remain for decades and cut across all industries including agriculture, ranching, oil and gas, renewable energy, transportation, construction, and other job creating sectors. Western Oklahoma is not unique in this regard; the other states in the LPC's five state range are in the same situation.

Oklahoma and the other states have worked tirelessly to develop a state-driven, voluntary, range-wide conservation plan (RWP). Embedded within the RWP are Candidate Conservation Agreements with Assurances (CCAAs) for affected industries that would produce robust, long term conservation of the LPC and ultimately preclude the need for a listing. The historic precedent set by the overwhelming response of landowners in New Mexico to the availability of the CCAA protecting the sand dune lizard and the LPC demonstrates that if the U.S. Fish and Wildlife Service (Service) makes a CCAA available on a timely basis, landowners will enthusiastically enroll their properties. But this will only be the case if the RWP and CCAAs are quickly approved. Unless this happens, affected industries will not have enough time to enroll significant acreage into the RWP conservation programs given the deadlines facing the Service. Underutilization of these conservation programs may ultimately result in less effective conservation of the LPC over the long run, even in the event of a listing. Alternatively, if the RWP and CCAAs are approved early enough, the conservation activities conducted in the next few months will be sufficient to render any LPC listing unnecessary. Effective conservation of the LPC without a listing will enable the Service to meet its species conservation responsibilities while enabling economic development activities to continue throughout the range. It will also help the Service better manage its limited financial resources and mission obligations across the country.

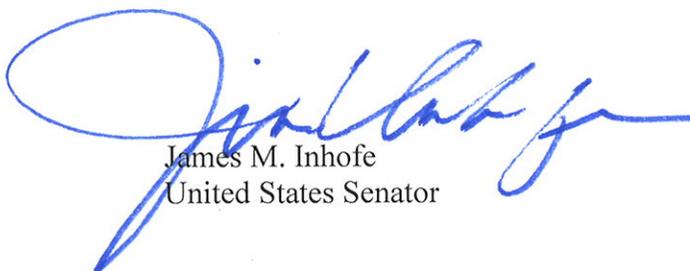
It is my understanding that following the close of this comment period, the fourth iteration of the RWP will be submitted to the Service for review. The states have worked diligently to create the RWP and corresponding CCAAs, and they have demonstrated an eagerness to resolve any deficiencies that may have been identified by the Service so it can ultimately and swiftly be approved. Further, it is my expectation that the Service, when addressing the CCAAs, will work as expeditiously as possible to carry out its obligations under the National Environment Policy Act (NEPA). Given the precedent established by the Service in the consideration of earlier CCAAs for the LPC, I expect that the NEPA requirements for the RWP associated CCAAs will be satisfied with no more than an Environmental Assessment, and I urge you to commence that process immediately as well in conjunction with the states

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and others who can lend their appropriate assistance and resources. The RWP and corresponding CCAAs are robust. They will successfully conserve the species and ultimately prevent the need for a listing.

State driven, voluntary conservation plans that effectively protect species and are approved by the Service must be considered the best approach to species conservation across the country; otherwise, a Service bias toward listings will result in decades of regulatory and government interference in the lives of Americans. Because of issues that have surfaced with the American Burying Beetle in recent months, Oklahomans are far too aware of this reality. Oklahomans stand united in their desire to see the LPC protected, and they are equally eager to allow the state wildlife agencies to drive the process without heavy handed interference by the federal government. We appreciate your diligent work on this matter and eagerly request the Service's swift consideration and approval of the RWP and its related CCAAs.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Inhofe", is written over the typed name and title.

James M. Inhofe
United States Senator