

Congress of the United States

Washington, DC 20510

July 16, 2021

Martha Williams
Principal Deputy Director
U.S. Fish & Wildlife Service
1849 C Street, N.W.
Washington, DC 20240

Dear Deputy Director Williams:

We are disappointed in the decision by the Fish & Wildlife Service (FWS) to propose listing the lesser prairie-chicken (LPC) under the Endangered Species Act (ESA). As stakeholders review the far reaching effects of a listing, it is important for FWS to allow sufficient time for the public to provide meaningful comments. We write to urge you to extend the comment deadline by at least 90 days.

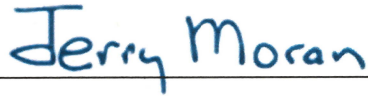
Stakeholders in Kansas and throughout the five-state range of the LPC are eager to participate in this comment period ahead of any final determination. The FWS has the sole discretionary authority to extend the comment period, and as such the FWS stands to benefit from all comments from the public, government agencies, scientific community, industry, and other interested parties concerning this proposed rule. Granting additional time for quality comments to be drafted and submitted will only benefit the FWS's decision making abilities moving forward.

The outcome of the FWS's proposal will impact many vital sectors in our state, including agriculture and energy production. A listing will impose burdensome regulations on farmers and ranchers, oil and gas production, wind and solar projects, energy transmission, homebuilders, transportation and other sectors and activities across Kansas. An extended comment period will allow stakeholders to provide more thorough feedback to FWS on the effects a listing will have across the five-state range.

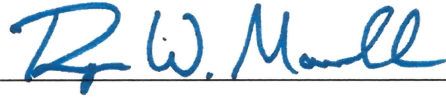
As noted in the proposed rule, activity surrounding the possible listing of the LPC goes back more than 25 years. During that time, and particularly in recent years, unprecedented levels of private and public taxpayer dollars have been invested in a multitude of voluntary conservation efforts in the LPC habitat area. These conservation initiatives have successfully conserved the bird's habitat area and resulted in the LPC population more than doubling since 2013 without ESA regulations in place. The FWS's decision to propose a listing in spite of the successful voluntary efforts significantly diminishes the incentive for stakeholders to pursue future initiatives to preserve the LPC or other species. The ongoing conservation efforts, as well as the chilling effect the listing will have on future conservation initiatives across the country, must be appropriately accounted for by the FWS.

Listing the LPC under the ESA threatens to negatively impact Kansas for years to come. It is imperative for FWS to provide sufficient time to receive and evaluate public comments from stakeholders. Thank you for your consideration of this request.

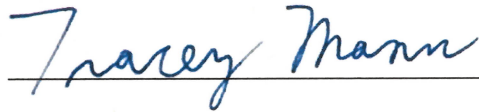
Sincerely,

Handwritten signature of Jerry Moran in blue ink, written over a horizontal line.

Jerry Moran
United States Senator

Handwritten signature of Roger Marshall in blue ink, written over a horizontal line.

Roger Marshall, M.D.
United States Senator

Handwritten signature of Tracey Mann in blue ink, written over a horizontal line.

Tracey Mann
Member of Congress