



Texas Independent Producers and Royalty Owners Association
919 Congress Avenue, Suite 1000, Austin, Texas 78701 P: (512) 477-4452 F: (512) 476-8070
www.tipro.org

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Public Comments Processing
U.S. Fish and Wildlife Service
MS: PRB/3W
5275 Leesburg Pike
Falls Church, VA 22041-3803

Attn: Docket No. FWS-R2-ES-2021-0015

**Re: Comments on the Proposed Rule to List the Lesser Prairie-chicken
Docket No. FWS-R2-ES-2021-0015
86 FR 29432 (2021-11442)
June 1, 2021**

On behalf of the Texas Independent Producers and Royalty Owners Association (TIPRO) and our members, I would like to express our appreciation for the opportunity to comment on the United States Fish and Wildlife Service's (FWS) proposed rule to list two Distinct Population Segments (DPSs) of the lesser prairie-chicken (*Tympanuchus pallidicinctus*) (LPC) under the Endangered Species Act of 1973, as amended (ESA or the Act). 86 Fed. Reg. 29432 (June 1, 2021).

TIPRO is one of the largest statewide trade associations in Texas representing the oil and natural gas industry. Our members include the largest producers of oil and gas in the state, as well as hundreds of small to mid-sized independent operators and royalty owners. Collectively, TIPRO members produce approximately 90 percent of the oil and natural gas in Texas and own mineral interests in millions of acres across the state. Our organization's mission, since its inception, is to preserve the ability of independent operators to responsibly explore for and produce oil and natural gas.

Small and mid-sized independent producers have a vested interest in being good stewards of the land and environment in which they produce. Many of our members not only work the land that they operate on, but also live in and around those same communities. The oil and gas industry, inclusive of many TIPRO members, has made significant progress toward the stability of the LPC population through voluntary programs that assist in the development and on-going support of successful habitat management and conservation programs. In fact, industry participants have contributed over \$65 million to beneficial conservation practices to protect and promote LPC populations across 6,228,136 total acres.

The success of the voluntary LPC management and conservation programs is evident in the data. The most recent study on the LPC population size, *Range-Wide Population Size of the Lesser Prairie-Chicken* published in October 2020, shows an increase in the total lesser prairie-chicken population size from 2013 to 2020. The estimated total population of lesser prairie-chicken increased from 15,397 LPC in 2013 to 34,408 LPC in 2020. This equates to an increase of over

3,200 birds per year from 2013 to 2020. Under the ESA, "Endangered" means a species is in danger of extinction throughout all or a significant portion of its range. Clearly, a species whose population has more than doubled in the last seven years does not fit this definition.

TIPRO has a strong record of supporting our regulatory agencies as appropriate and looks forward to continued work with the U.S. Fish and Wildlife Service and other regulatory agencies on actions impacting the industry. TIPRO, however, disagrees with the United States Fish and Wildlife Service's proposal to list the LPC under the ESA. The oil and gas industry has a proven track record and commitment to improving LPC habitats and populations. Industry supported conservation programs are showing demonstrable success at increasing LPC populations through the commitment of millions of dollars and millions of acres that are using beneficial conservation practices to conserve and propagate the LPC across its range. Data suggests that these successful and on-going efforts do not require the LPC to be listed under the ESA.

We greatly appreciate your continued work and collaboration with the State of Texas and thank you again for this opportunity to submit comments.

Respectfully submitted,

A handwritten signature in cursive script that reads "Ed Longanecker".

Ed Longanecker

President

TIPRO

919 Congress Avenue, Suite 1000

Austin, TX 78701

Office: 512-477-4452 / Email: elonganecker@tipro.org