



VIA ELECTRONIC FILING

January 30, 2017

US Fish and Wildlife Service, MS: BPHC
5275 Leesburg Pike
Falls Church, VA 22041-3803

Re: Docket No. FWS–R2-ES-2016-0133; Substantial Finding and Status Review for Lesser Prairie Chicken; Federal Register Vol. 81, No. 230 (Wednesday, November 30, 2016);

Dear Sir/Madam,

The GPA Midstream Association (GPA Midstream) appreciates the opportunity to provide comments to the US Fish and Wildlife Service (USFWS) pertaining to the 90-day Substantial Finding and notice of Status Review for the lesser prairie-chicken (*Tympanuchus pallidus*). GPA Midstream is a non-profit trade organization made up of close to 100 corporate members, all of whom are engaged in the processing of natural gas into merchantable pipeline gas, or in the manufacture, transportation, or further processing of liquid products from natural gas. GPA Midstream membership accounts for approximately 92% of all natural gas liquids produced by the midstream energy sector in the United States. Our members also produce, gather, transmit, and market natural gas and natural gas liquids.

The 60-day comment period provided by the USFWS does not provide interested parties adequate time to fully review and vet the listing petition and its sources, as well as gather and prepare additional relevant scientific data needed to support such an important decision. GPA Midstream requests that the USFWS continue to accept and review relevant scientific information beyond the close of the comment period so that a decision can be made based on the most thorough review possible of relevant and available scientific data.

Petitioners have requested that the lesser prairie-chicken be listed as “endangered,” which is defined by the Endangered Species Act as, “...*any species which is in danger of extinction throughout all or a significant portion of its range...*” GPA Midstream strongly believes that the lesser prairie-chicken does not meet this definition of an “endangered species” and requests that the USFWS issue a Not Warranted decision. Many of our members voluntarily participate in ongoing species conservation efforts such as the Western Association of Wildlife Agencies (WAFWA) Lesser Prairie-Chicken Range-wide Conservation Plan (Range-wide Plan).

According to WAFWA's 2015 Annual Report, the Range-wide Plan had already raised more than \$51 million for mitigation, industry had enrolled a combined 10.4 million acres through Wildlife Conservation Agreements and Candidate Conservation Agreements with Assurances, and landowners had enrolled more than 67,000 acres of habitat in the conservation effort. The 2015 WAFWA report also states that the species populations increased by 25 percent. WAFWA's 2016 Annual Report will include very important and possibly the most current scientific information about lesser prairie-chicken conservation efforts; however, the Annual Report will not be issued until after the close of the comment period. GPA Midstream requests that WAFWA's 2016 Annual Report be included in the USFWS status review. Furthermore, the Range-wide Plan is only one such conservation effort underway that benefits the lesser prairie-chicken. We strongly recommend the USFWS consult directly with WAFWA, state wildlife agencies, and other conservation effort proponents to obtain the most current data possible prior to issuing a decision.

USFWS previously conducted a status review of the lesser prairie-chicken and issued a less significant "threatened" listing decision in 2014. Many conservation efforts were getting underway at that time. In 2015, the "threatened" listing was vacated because the USFWS had not fully considered the impact of numerous conservation efforts that were being put into place. After two additional years of successful, wide spread, voluntary conservation efforts throughout the lesser prairie-chicken's range GPA Midstream is doubtful that USFWS can justify rendering a "threatened" or "endangered" decision.

GPA Midstream has reviewed comments jointly prepared by The American Petroleum Institute, Independent Petroleum Association of America, and Western Energy Alliance (collectively "the Joint Trades"). GPA Midstream did not participate directly with the Joint Trades on development of their comment letter; however, GPA Midstream is supportive of and in agreement with the Joint Trades' letter and strongly encourages the USFWS to carefully consider the detailed information provided therein.

GPA Midstream appreciates the opportunity to submit comments on the USFWS' 90-day finding and pending status review. We offer our continued assistance to the USFWS as it conducts the status review and remain available to provide additional data or answer questions that USFWS may have. If you have questions please contact me at (202) 279-1664 or by email at mhite@GPAglobal.org.

Sincerely,

Matthew Hite
Vice President of Government Affairs
GPA Midstream Association