

Honorable Ryan Zinke
Secretary
Department of Interior
1849 C Street, N.W.
Washington, DC 20240

Honorable David Bernhardt
Deputy Secretary
Department of Interior
1849 C Street, N.W.
Washington, DC 20240

Daniel Jorjani
Acting Solicitor
Department of Interior
1849 C Street, N.W.
Washington, DC 20240

Gregory Sheehan
Acting Director
U.S. Fish and Wildlife Service
1849 C Street NW
Washington, DC 22040

Gary Frazer
Assistant Director for Ecological Services
U.S. Fish and Wildlife Service
5275 Leesburg Pike
Leesburg, VA 20241-3803

Ted Koch
Assistant Regional Director for Ecological Services Program
U.S. Fish and Wildlife Service
P.O. Box 1306, Room 4012
Albuquerque, NM 87012

Michael Thabault
Assistant Regional Director for Ecological Services Program
U.S. Fish and Wildlife Service
134 Union Boulevard, Suite 650
Lakewood, CO 80228

Timothy Williams
Local Government Liaison
Department of Interior
1849 C Street NW
Washington, DC 20240

Re: U.S. Fish and Wildlife Service failure to comply with its statutory deadline for the Lesser prairie-chicken species status assessment initiated September 8, 2016

September 12, 2017

The Kansas Natural Resource Coalition (KNRC) is an association of Kansas counties that collaborate on a wide range of natural resource issues, including administrative actions under the Endangered Species Act (ESA). Our member counties are substantially and materially affected by Department of Interior U.S. Fish and Wildlife Service (USFWS) actions in regard to species status. As the affected local governments, any action you take in regard to the status of the Lesser prairie-chicken (*Tympanuchus pallidicinctus*) impacts our members' local economies and those local governments' ability to provide necessary services to their citizens. Recognition of county governments as the primary affected stakeholders for actions related to the Lesser prairie chicken on the part of the previous administration was conspicuous by its absence.

We have actively engaged on technical, policy, and statutory questions regarding the Lesser prairie-chicken,¹ despite the reluctance of USFWS to work meaningfully with us in government-to-government coordination. We remain active participants in processes regarding the species.

On September 8, 2016, the U.S. Fish and Wildlife Service (USFWS) received a petition from Defenders of Wildlife, WildEarth Guardians, and the Center for Biological Diversity to list the Lesser prairie-chicken as endangered throughout its range, including Kansas. As mandated by 16 U.S.C. §1533(B), the Secretary is required to publish a finding within twelve (12) months of receipt that the petition is not warranted, warranted, or warranted but precluded. The deadline for issuing your decision was September 7, 2017.

As of the date of this letter, no decision has been published. There was no mention on your website that you would not or were not able to comply with your statutory obligation for issuing the required decision in a timely manner. Our member counties have not received either early notification of your intent to meet the statutory deadline, or notice that you failed to comply with that requirement.

[The species profile page](#) states (as of the date of this letter²) that the listing status for the species remains "Under Review."

We request that you immediately inform us government-to-government of the reason(s) for your failure to comply with the clearly expressed mandate of the statute.

We note that there is no provision in the controlling statute for you to extend the time allowed for completion of the species status review and your decision. Considering the lack of controlling authority for extending the process, do you intend to complete the status review for the Lesser prairie-chicken, and if so, by what statutory authority, with what collaborating entities, and on what timeline?

Regards,

THE KANSAS NATURAL RESOURCE COALITION

Original Signed

Shawn Tasset
President, KNRC
Ford County Commissioner

Original Signed

J. R. Carlson
Executive Director

Cc:

Hon. Senator P. Roberts
Hon. Senator J. Moran
Rep. R. Marshall
Hon. Governor S. Brownback
Kansas AG D. Schmidt
KNRC Policy Member Commissioners

¹ (Linked items may be accessed using the PDF file version of this letter)

[Comments of Kansas Counties, KEC, KBC, and 171 Private Kansas Landholders](#)

[Findings of Fact and Conclusions of Law of Kansas Natural Resource Coalition In Re: The Advisability Of Listing the Lesser Prairie Chicken as a Threatened Species Under the Endangered Species Act](#)

[KNRC Petition to CEQ Requesting Oral Argument](#)

[KNRC Response to CEQ Chairman](#)

[Brief Amicus Curiae of Kansas Natural Resource Coalition in Support of Plaintiffs' Motion for Summary Judgement](#)

[KNRC News Alert — Status Review and Petition to List the Lesser Prairie-Chicken as an Endangered Species Under ESA](#)

[Lesser Prairie-Chicken Species Status Review Public Comment Period Extension Request](#)

[KNRC Bulletin — USFWS to Perform Lesser Prairie-Chicken Status Review](#)

[USFWS Response Declining KNRC Request for Public Comment Period Extension Request](#)

[KNRC Bulletin — USGS Report: Lesser Prairie-chicken continues to decline despite increasing counts; USFWS status review due September 7](#)

² [Local print of USFWS Species Status Review as of September 12, 2017, 2:08 pm CDT](#)