

## COUNTY OF ROOSEVELT

### RESOLUTION 2014-25

#### **OPPOSING THE LISTING OF THE LESSER PRAIRIE CHICKEN AS THREATENED SPECIES AND SUPPORTING AMENDMENT OF THE ENDANGERED SPECIES ACT OF 1973**

**WHEREAS**, the U.S. Fish and Wildlife Service (FWS) decision to list the lesser-prairie chicken as threatened under the Endangered Species Act of 1973 (ESA) and a final special rule under section 4(d) of the ESA was published in the April 10, 2014 edition of the *Federal Register* (79 FR 19974) and will become effective on May 12, 2014; and

**WHEREAS**, the listing of the lesser-prairie chicken as a threatened species will create a wide range of adverse effects upon communities, industries and people who are located within, reside, ranch, farm and use the millions of acres of private and public lands identified as lesser prairie chicken habitat in the states of Colorado, Kansas, New Mexico, Oklahoma and Texas; and

**WHEREAS**, eight eastern New Mexico Counties met with Dr. Benjamin N. Tuggle, Southwest Regional Director of the U.S. Fish and Wildlife Service in Portales, New Mexico on July 11, 2013 for a coordination meeting regarding the proposed listing of the lesser prairie chicken; and

**WHEREAS**, the best available science was presented to Dr. Tuggle in the Center for Environmental Science, Accuracy and Reliability report titled Data Do Not Support the Proposed Listing of Lesser Prairie Chicken at the coordination meeting as well; and

**WHEREAS**, further science was presented in the form of a report authored by Mary Darling of Darling Geomatics that identified flaws in the FWS data; and

**WHEREAS**, the best available science presented has been disregarded; and

**WHEREAS**, the five states of Colorado, Kansas, New Mexico, Oklahoma and Texas, in unprecedented collaboration with cooperating stakeholders, developed and are actively implementing a comprehensive range-wide conservation plan formally endorsed in October 2013 by FWS which provides conservation measures for the lesser prairie chicken while facilitating continued and uninterrupted economic activity throughout the entire five-state lesser prairie chicken range; and

**WHEREAS**, the aforementioned range-wide plan was developed to provide a locally controlled and innovative approach for maintaining state authority to conserve the lesser prairie chicken now and into the foreseeable future with no need for federal ESA overreach; and

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ROOSEVELT COUNTY COMMISSION:**



Opposes the decision of the U.S. Fish and Wildlife Service to list the lesser prairie chicken as a threatened species; and

Respectfully requests and encourages the Governor of the State of New Mexico Honorable Susanna Martinez to oppose the listing of the lesser prairie chicken as it will have adverse effects on continued economic development and growth within the State of New Mexico ; and

Respectfully requests and encourages the Governor of the State of New Mexico Honorable Susanna Martinez to coordinate with the States of Kansas, Oklahoma, Texas and Colorado in opposing and litigating the listing of the lesser prairie chicken; and

Respectfully requests and encourages the Honorable Gary King Attorney General of New Mexico to enter his appearance in any and all pending litigation regarding the lesser prairie chicken or file a more appropriate lawsuit on behalf of the State of New Mexico; and

Respectfully requests and encourages the New Mexico Congressional Delegation to work vigorously to reverse the decision of the FWS and delist the lesser prairie chicken; and

Respectfully requests and encourages the New Mexico Congressional Delegation to support the following Endangered Species Act Reform Legislation Introduced:

- S.1731, the Endangered Species Management Self-Determination Act, Senator Rand Paul (R-KY)
- S. 2084, the Community Protection Act, Senator Mark Prior (D-Ark) and House Companion bill (H.R. 4319) Rep Rick Crawford (R-Ark)
- H.R. 4315, the “21<sup>st</sup> Century Endangered Species Transparency Act” , Natural Resources committee chairman Doc Hastings (R-Wash)
- H.R. 4316, the “Endangered Species Recovery Transparency Act”, Rep. Cynthia Lummis (R-Wyo.)
- H.R. 4317, the “State, Tribal and Local Species Transparency and Recovery Act”, Rep Randy Neugebauer (R-Texas)
- H.R. 4318, the “Endangered Species Litigation Reasonableness Act”, Rep. Bill Huizenga (R.-Mich)

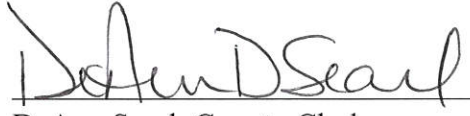
PASSED, ADOPTED AND APPROVED THIS 6<sup>TH</sup> DAY OF MAY, 2014 BY THE BOARD OF ROOSEVELT COUNTY COMMISSION.

**BOARD OF COUNTY COMMISSION**

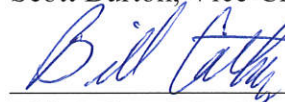
  
Kendell Buzard, Chairman

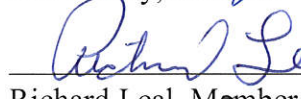


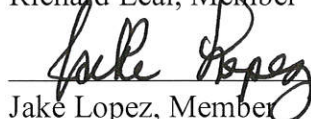
ATTEST:

  
DeAun Searl, County Clerk

  
Scott Burton, Vice-Chairman

  
Bill Cathey, Member

  
Richard Leal, Member

  
Jake Lopez, Member

