



RESOLUTION NUMBER: 2023-13

In Opposition to Listing the Lesser Prairie Chicken as Threatened Species

WHEREAS, the U.S. Fish and Wildlife Service ("FWS") has issued the final rule to list the Southern DPS (Distinct Population Segment) of the Lesser Prairie Chicken, scientific name *Tympanuchus pallidicinctus*, as an endangered species; and

WHEREAS, listing Southern DPS of the Lesser Prairie Chicken, scientific name *Tympanuchus pallidicinctus*, as an endangered species will initiate the prohibitions set forth in section 9 of the Endangered Species Act ("Act") and the consultation obligations set forth in Section 7 of the Act.

WHEREAS, the U.S. Fish and Wildlife Service ("FWS") has issued the final rule to list the Northern DPS (Distinct Population Segment) of the Lesser Prairie Chicken, scientific name *Tympanuchus pallidicinctus*, as a threatened species; and

WHEREAS, listing Northern DPS of the Lesser Prairie Chicken, scientific name *Tympanuchus pallidicinctus*, as a threatened species will trigger a section 4(d) rule of the Endangered Species Act ("Act") that tailors the prohibitions and exceptions to the prohibitions necessary and advisable for the species. and the consultation obligations set forth in section 7 of the Act.

WHEREAS, the listing of the Lesser Prairie Chicken (LPC) as an endangered 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 public and private lands identified as Lesser Prairie Chicken habitat for a Distinct Population Segment in the states of Colorado, Kansas, New Mexico, Oklahoma and Texas; and

WHEREAS, the proposed rule to list the lesser prairie chicken (LPC) and separate the population into two Distinct Population Segments (DPS) fails to recognize that the historic range has always been geographically separated by distance and changes in the weather that have been successfully accommodated by the LPC; and

WHEREAS, the FWS has not demonstrated that there exists any genetic differences in the DPS one, or DPS two, that would hinder the LPC from existing in any environment across the entire range; and

WHEREAS, the declaration that a southern DPS and endangered status appear to be unfounded, the language describing critical habitat is vague, and the location of specific boundaries are not easily identifiable, potentially leading to subjective actions by FWS; and

WHEREAS, biological surveys and studies that were contrary to the FWS narrative of population decreases in the LPC actually discovered that there was an overall increase in the populations of LPC from 1997 to 2012; and

WHEREAS, the FWS seems to have arbitrarily and capriciously dismissed any studies which disagreed with their studies of population trends, levels of sustainability, species resiliency, and other factors which were used to designate the LPC as endangered; and

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WHEREAS, the loss of the robust energy, agriculture and utility employment sectors in the region, will also adversely impact thousands of support jobs necessary to sustain the region's economic health and vitality; and

WHEREAS, local industries and employment sectors are already actively taking actions for mitigation and protecting wildlife and native species, including the Lesser Prairie Chicken; and

WHEREAS, the scope of protection offered by FWS in listing the Lesser Prairie Chicken as "endangered" is excessive and will result in harm to working families, local industries and communities, as well as the State of New Mexico.

NOW THEREFORE, BE IT RESOLVED, by the board of Roosevelt County Commissioners that they stand in opposition to the implementation of the final rule to list the Southern DPS Lesser Prairie Chicken as an endangered species.

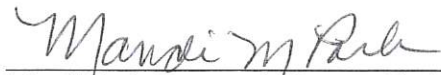
BE IT FURTHER RESOLVED by the board of Roosevelt County Commissioners that they stand in opposition to the implementation of the final rule to list the Northern DPS Lesser Prairie Chicken as a threatened species.


BE IT FURTHER RESOLVED, that the theory of two Distinct Population Segments be reconsidered taking all information into account and properly determining the validity of all surveys, studies, and other information, to arrive at a conclusion, rather than making the narrative fit the desired outcome.

PASSED, APPROVED AND ADOPTED on this 21st day of March, 2023 by the Roosevelt County Board of Commissioners in an open meeting in Portales, New Mexico.


**BODY OF COUNTY COMMISSIONERS
ROOSEVELT COUNTY, NEW MEXICO**

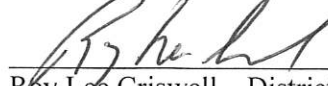
ATTEST



Mandi Park, Roosevelt County Clerk

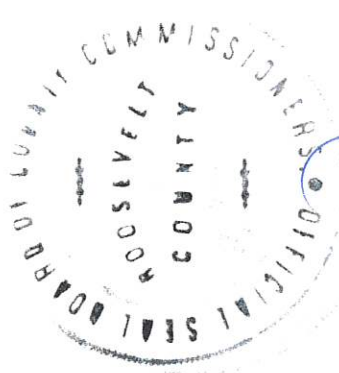

Paul Grider, *Chair* – District V
Voted: Yes No Abstained


Rodney Sayage, *Vice Chair* – District II
Voted: Yes No Abstained


Dennis Lopez – District I
Voted: Yes No Abstained


Roy Lee Criswell – District III
Voted: Yes No Abstained


Tina Dixon – District IV
Voted: Yes No Abstained



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Mandi M. Park, Roosevelt Co. Clk., Roosevelt, NM