

# COMMITTEE REPORTS

## SPECIES, HABITAT, OPERATIONS COMMITTEE

Ronnie Rapp, Occidental Oil and Gas Corporation

The species, habitat, and operations committee did not hold a meeting in Q1 2023. The committee was informed by PBPA staff on pertinent issues via email. Information that was distributed for review and/or comment included:

- PBPA draft complaint arguing that the listing decision for the Lessor Prairie Chicken violated the ESA and Administrative Procedures Act.
- Information regarding the LPC listing decision date change.
- Information on Federal Register notice of revisions to regulations concerning the issuance of enhancement of survival and incidental take permits under the ESA, and request for comments.

Action Items for the First Quarter:

- PBPA worked with three other trade associations to draft and submit official comment regarding the U.S. Fish and Wildlife Service's (Service) proposed revisions to the issuance of enhancement of survival and incidental take permits under the ESA.
- PBPA continues to build coalition support for our lawsuit against the Service and Department of Interior regarding the listing of the lesser prairie chicken under the ESA. Our original complaint was filed in the U.S. District Court for the Western District of Texas. We were joined on this complaint but several of our coalition members, and several others will be amended to that complaint as their 60 day notices of intent to bring suit run their course. Also, the states of Texas, Kansas and Oklahoma have also filed their complaints on the same issue in the Western District of Texas.