

Lesser Prairie-Chicken

Final Listing Determination

U.S. FISH AND WILDLIFE SERVICE

NOVEMBER 2022



Website

www.fws.gov/lpc

Primary Conservation Efforts

FSA Conservation Reserve Program

NRCS Working Lands for Wildlife

WAFWA Oil and Gas Candidate Conservation Agreement with Assurances (CCAA)

Oklahoma Ag CCAA

Texas Ag CCAA

NM Ag and Oil & Gas CCA/CCAA

LPC Conservation LLC Oil and Gas Habitat Conservation Plan

LPC Conservation LLC Renewable Energy Habitat Conservation Plan

Bureau of Land Management

State Fish and Wildlife Agency Habitat Enhancement Programs

TNC Owns Lands Managed for the LPC

USFWS Partners for Fish and Wildlife Program

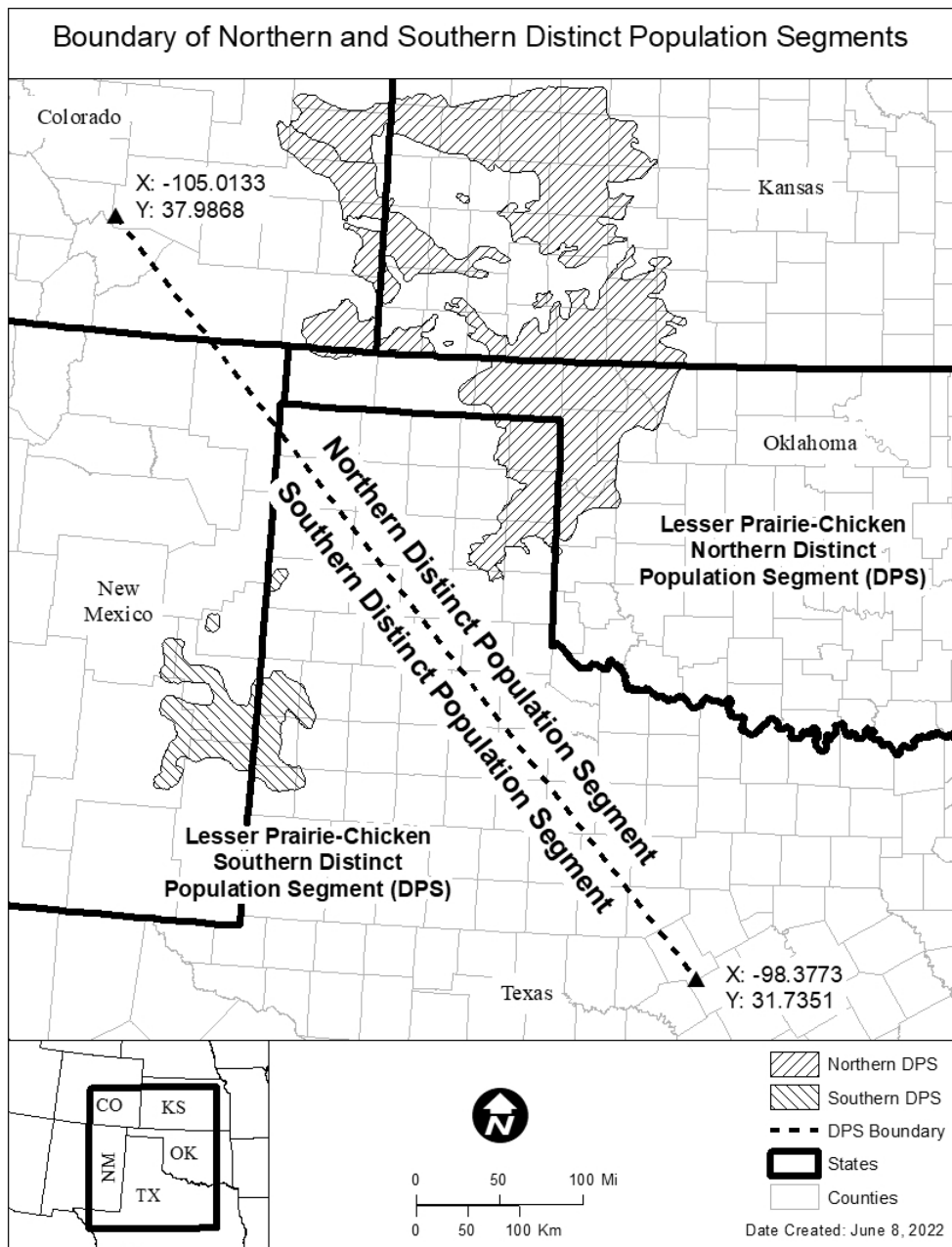
USFS National Grasslands

Species Overview

- A species of prairie grouse occurring in portions of New Mexico, Texas, Colorado, Oklahoma, and Kansas.
- They are an important indicator of the overall health of the grasslands in the Southern Great Plains.
- Requires large tracts of contiguous grassland and shrubland.
- Boom-bust species with annual reproductive success driven by precipitation.
- Primary threat is habitat loss and fragmentation.

LPC Species Status Assessment

- **The Service's peer-reviewed Species Status Assessment (SSA) provides a biological risk assessment by evaluating viability.**
- **Examines the lesser prairie-chicken's biological status under its current condition as well as varying plausible future conditions.**
- **Incorporates the effects of both the threats and conservation efforts impacting the species.**
- **Habitat loss, fragmentation, and degradation have resulted in decreased viability.**
- **In the future habitat loss and fragmentation are expected to continue, resulting in continued declines across the species' range even when accounting for ongoing and future conservation efforts.**



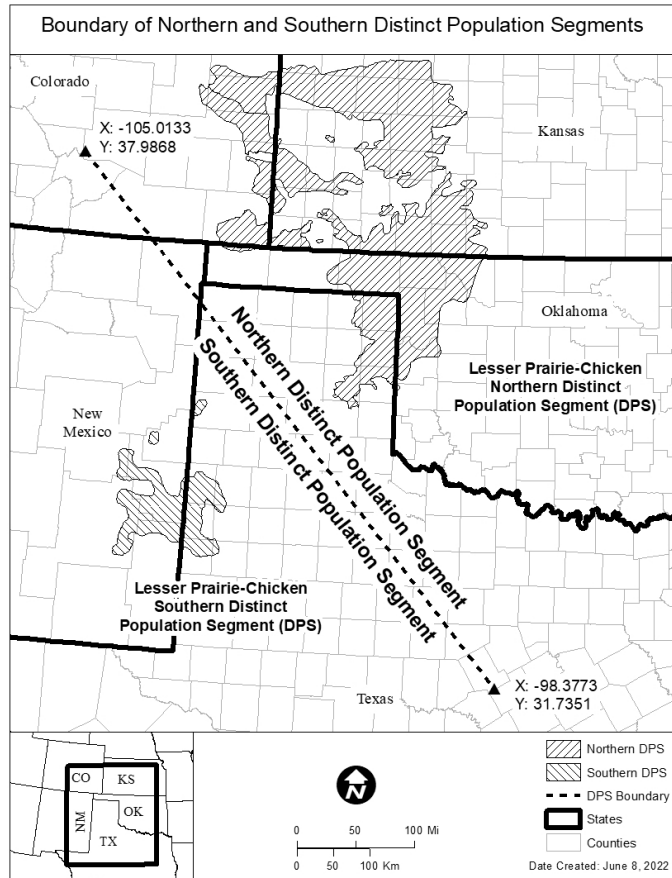
LPC LISTING DETERMINATION

- We are listing two Distinct Population Segments (DPS) of the lesser prairie-chicken under the ESA.
- The Southern DPS is being listed as endangered and the Northern DPS as threatened with a 4(d) rule.

DISTINCT POPULATION SEGMENTS

- Section 4 of ESA - “...determine whether any species is an endangered species or a threatened species...”
 - The term species includes any subspecies of fish or wildlife or plants, and any distinct population segment of any species of vertebrate fish or wildlife which interbreeds when mature.
- Criteria to determine if a DPS exists
 - Separate or discrete from other populations.
 - Has significant biological or ecological value.
- If it is determined that a population meets the criteria to be considered a DPS then the specific population can be evaluated to determine if it meets the definition of either threatened or endangered under the ESA.

DISTINCT POPULATION SEGMENTS (cont)



- Within both the Northern DPS and the Southern DPS, population resiliency has been negatively impacted by habitat loss and fragmentation.
- Southern DPS has low resiliency and with population estimates indicating a 5-year average population size of 3,250 birds remaining.
 - Under current climatic conditions, another wide-scale severe drought is likely in this ecoregion.
 - Southern DPS is in danger of extinction.
- Resiliency of populations in the Northern DPS has decreased from historical levels but has redundancy across the three ecoregions.
 - Service concludes that the Northern DPS of the lesser prairie-chicken is not currently in danger of extinction but is likely to become in danger of extinction within the foreseeable future.

Northern DPS 4(d) RULE

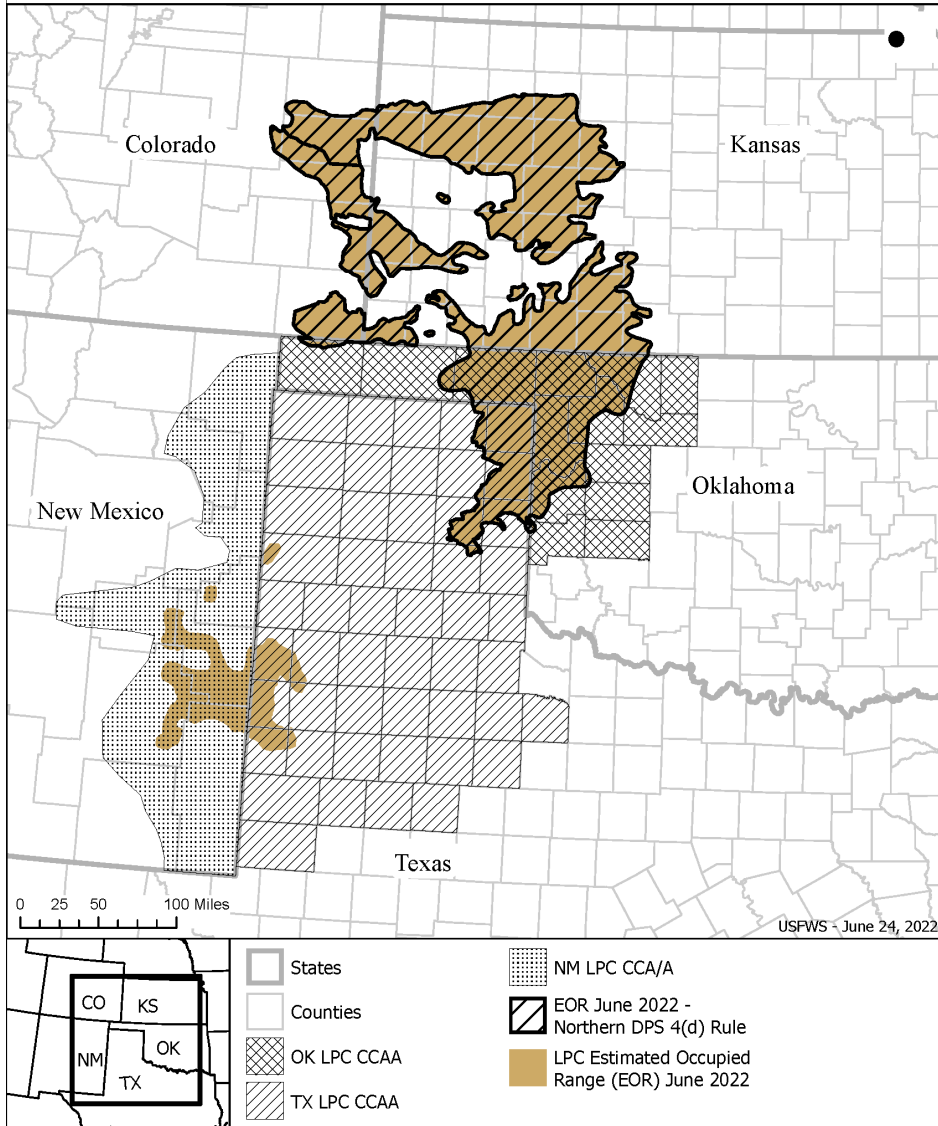
- Provides that farmers can continue their routine agriculture activities on existing cultivated lands.
- Provides an exception for implementation of prescribed burning for grassland management.
- Recognizes the importance of proper grazing management and includes an exception for those producers who are following a prescribed grazing plan developed by a qualified party that has been approved by the FWS.



OPTIONS FOR INDUSTRY

- Options are available for Endangered Species Act compliance for interested parties across the various industries in the five-state range.
- The SSA estimates that of the approximately 21-million-acre analysis area, roughly 4 million (or 18%) of those acres are potentially lesser prairie-chicken habitat.
- We expect minimal impact on development across large portions of the range.

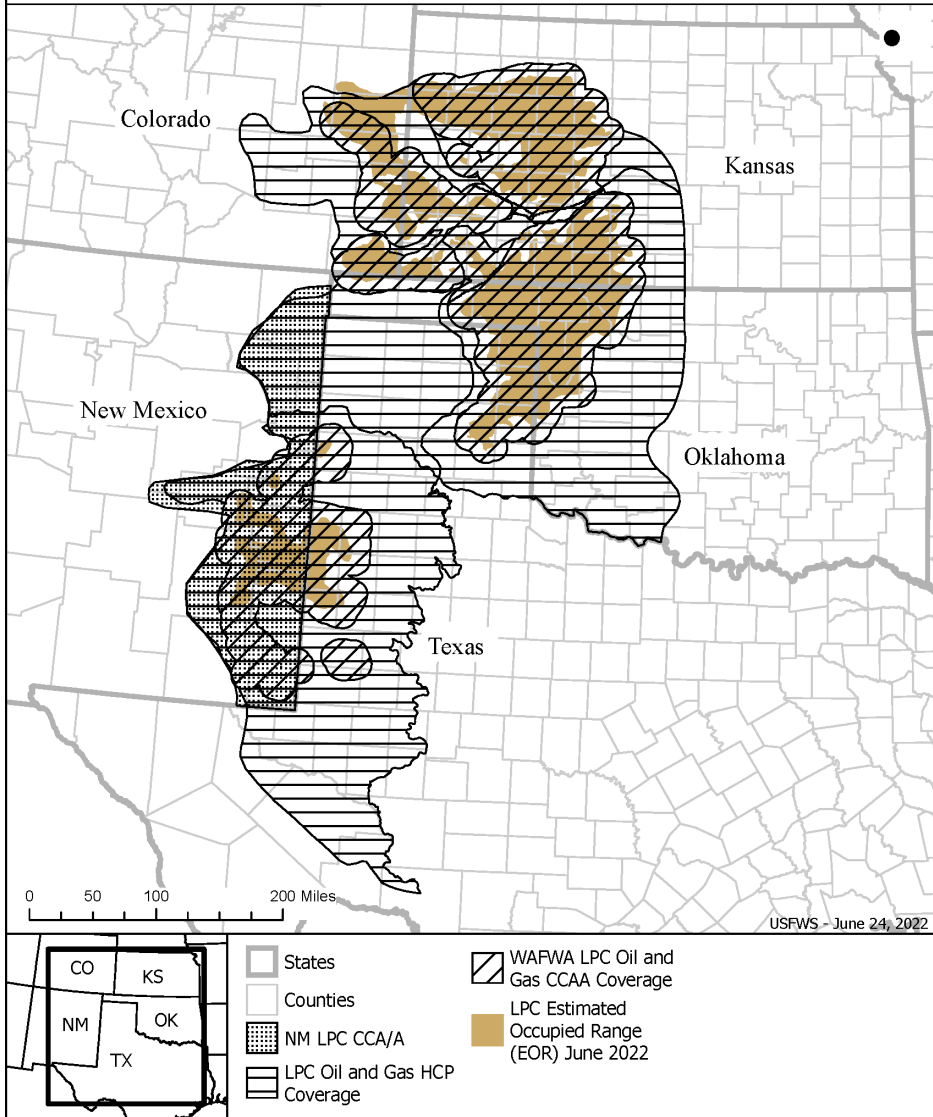
Lesser Prairie-Chicken (LPC) Conservation Plan Covered Area for Livestock Grazing



GRAZING COVERAGE

- 100% of the range has an option for grazing
 - NM, TX and OK under CCAAs (see map)
 - KS, CO, OK, and the northeastern Texas Panhandle have the option for coverage under the 4(d) rule for grazing.

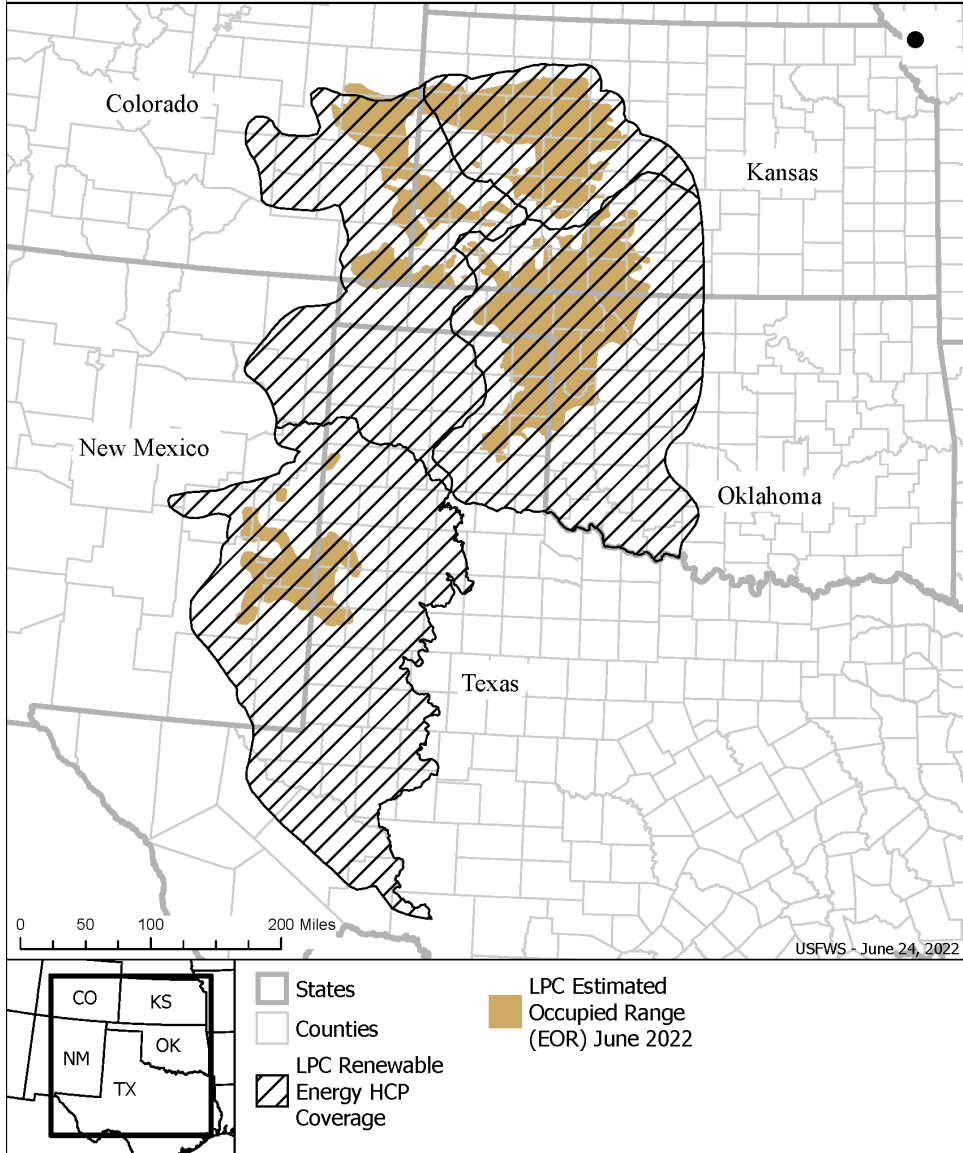
Lesser Prairie-Chicken (LPC) Conservation Plan Covered Area for Oil and Gas Development



OIL AND GAS COVERAGE

- Most of the range has more than one option
 - More than 98% of the range is covered by Oil and Gas HCP
 - More than 95% of the range is covered by the WAFWA CCAA
 - Entire range in NM is also covered by the NM CCAA.

Lesser Prairie-Chicken (LPC) Conservation Plan Covered Area for Renewable Energy Development



RENEWABLE ENERGY COVERAGE

More than 98% of the range is covered by the renewable energy HCP.

FINAL RULE REVISIONS

- Updated population trend data;
- Included new and updated conservation actions; and
- Updated 4(d) rule for Northern DPS with a new exception associated with grazing management.

Next Steps

- **The final listing and 4(d) rule will publish on November 25th and become effective on January 24, 2023, 60 days after publication in the Federal Register.**
- **Work with interested stakeholders to understand existing ESA compliance mechanisms where needed and work with other interested parties to develop additional options.**
- **Continue to work with our partners to enhance existing conservation efforts and explore opportunities for new conservation efforts to conserve the lesser prairie-chicken and the grasslands of the southern Great Plains.**