

# LESSER PRAIRIE-CHICKEN LISTING

*Dr. Jackie Augustine, Executive Director of AOK*

The current consideration of Lesser Prairie-Chickens for protection under the Endangered Species Act is only the most recent drama in a soap opera over 25 years in the making. Following drastic population declines in the late 1980s and early 1990s, the Biodiversity Legal Foundation petitioned the US Fish and Wildlife Service to protect Lesser Prairie-Chickens under the Endangered Species Act in 1995. In 1998, the Department of the Interior added Lesser Prairie-Chickens to the list of 'candidate species' claiming that official listing was not warranted because there were species in greater need for protection. The status of candidate species are reviewed annually. In 2008, Lesser Prairie-Chickens moved up in the list of candidate species reflecting increasing threats to their habitat from moderate to high. In 2014, the Fish and Wildlife Service announced its decision to list the Lesser Prairie-Chicken as a threatened species. A federal court vacated the listing after a lawsuit by a Texas oil trade group in 2015, and Lesser Prairie-Chickens were removed as a threatened species in 2016.

After this delisting, oil and gas have expanded throughout the Lesser Prairie-Chicken's range including western Kansas. Farmers and ranchers, worried that Lesser Prairie-Chickens may be listed again, plowed prairie to avoid any potential federal restrictions on their land (See Evans M, Malcolm J (2021). "Lesser Prairie-Chicken habitat changes since court delisting." Center for Conservation Innovation, Defenders of Wildlife). These increasing threats have prompted the US Fish and Wildlife Service to once again consider Lesser Prairie-Chickens for listing under the Endangered Species Act – but this time, part of their population is proposed to be listed as 'endangered' – one step closer to extinction than 'threatened'. The endangered population is located in eastern New Mexico and western Texas. The population located in Kansas, Colorado, Oklahoma, and northern Texas is proposed to be listed as threatened. Public comments were due September 1, 2021, and we expect a final ruling some time in 2022.

Audubon of Kansas wrote a letter endorsing the listing which was co-signed by six of the seven active Audubon chapters in Kansas.

**AOK supported the listing because despite nearly three decades of voluntary conservation and efforts by state and federal agencies, the birds' overall population numbers have not improved, and in fact have declined over much of their range.**

Additionally, there is evidence that the birds are not able to bounce back as rapidly as they once did following severe drought or wildfire. Finally, the threats to Lesser Prairie-Chickens have increased from energy development (oil, gas, and wind) and agricultural conversion of prairie to row crop agriculture.

I have personally witnessed the demise of a large, active Lesser Prairie-Chicken display ground or lek following the drilling of oil wells and construction of associated infrastructure. In 2014, the lek was visible from Castle Rock in Gove County and had over 20 males displaying. After I had conducted research on that lek for several years, oil and gas exploration occurred and the following year, a new well was under construction over a half mile away, but visible from the lek. Well drilling is a loud process and occurs 24/7 until it is completed. The males were competing with the drilling to be heard by females. Even though the well drilling was completed the following year, males were still competing with increased traffic on the road from noisy oil tanker trucks retrieving 'black gold' from the oil silos. The number of birds on that lek slowly declined over the next couple years until the birds disappeared entirely in spring 2021.

Even though I bear witness to the decline of Lesser Prairie-Chickens, I am hopeful that the listing will spark new conservation efforts for this charismatic grassland bird.