

113TH CONGRESS
2D SESSION

H. R. 4866

To reverse the Department of the Interior's listing of the lesser prairie chicken as a threatened species under the Endangered Species Act of 1973, to prevent further consideration of listing of such species as a threatened species or endangered species under that Act pending implementation of the Western Association of Fish and Wildlife Agencies' Lesser Prairie-Chicken Range-Wide Conservation Plan and other conservation measures, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2014

Mr. MULLIN (for himself, Mr. LUCAS, Mr. NEUGEBAUER, Mr. THORNBERRY, Mr. COLE, Mr. TIPTON, Mr. LANKFORD, Mr. FLORES, Mr. PEARCE, Mr. HUELSKAMP, and Mr. BRIDENSTINE) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To reverse the Department of the Interior's listing of the lesser prairie chicken as a threatened species under the Endangered Species Act of 1973, to prevent further consideration of listing of such species as a threatened species or endangered species under that Act pending implementation of the Western Association of Fish and Wildlife Agencies' Lesser Prairie-Chicken Range-Wide Conservation Plan and other conservation measures, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Lesser Prairie Chicken
5 Voluntary Recovery Act of 2014”.

6 **SEC. 2. IMPLEMENTATION OF LESSER PRAIRIE-CHICKEN**
7 **RANGE-WIDE CONSERVATION PLAN AND**
8 **OTHER CONSERVATION MEASURES.**

9 (a) PROHIBITION ON TREATMENT AS THREATENED
10 OR ENDANGERED SPECIES.—

11 (1) IN GENERAL.—Notwithstanding any prior
12 action by the Secretary of the Interior, the lesser
13 prairie chicken shall not be treated as a threatened
14 species or endangered species under the Endangered
15 Species Act of 1973 (16 U.S.C. 1531 et seq.) before
16 January 31, 2020.

17 (2) PROHIBITION ON PROPOSAL.—On and after
18 January 31, 2020, the lesser prairie chicken may
19 not be treated as a threatened species or endangered
20 species under the Endangered Species Act of 1973
21 (16 U.S.C. 1531 et seq.) unless the Secretary pub-
22 lishes a determination, based on the totality of the
23 scientific evidence, that conservation (as that term is
24 used in that Act) under the Range-Wide Plan and
25 the agreements, programs, and efforts referred to in

1 subsection (b) has not achieved the conservation
2 goals established by the Range-Wide Plan.

3 (b) MONITORING OF PROGRESS OF CONSERVATION
4 PROGRAMS.—The Secretary shall monitor and annually
5 report to the Congress on progress in conservation of the
6 Lesser Prairie Chicken under the Range-Wide Plan and
7 all related Candidate Conservation Agreements and Can-
8 didate and Conservation Agreements With Assurances,
9 other Federal conservation programs administered by the
10 United States Fish and Wildlife Service, the Bureau of
11 Land Management, and the Department of Agriculture,
12 State conservation programs, and private conservation ef-
13 forts.

14 (c) DEFINITIONS.—In this section:

15 (1) CANDIDATE CONSERVATION AGREE-
16 MENTS.—Each of the terms “Candidate Conserva-
17 tion Agreement” and “Candidate and Conservation
18 Agreement With Assurances” means, respectively,
19 such an agreement referred to in—

20 (A) the Announcement of Final Policy for
21 Candidate Conservation Agreements with As-
22 surances published by the Department of the
23 Interior and the Department of Commerce on
24 June 17, 1999 (64 Fed. Reg. 32726); and

1 (B) sections 17.22(d) and 17.32(d) of title
2 50, Code of Federal Regulations.

3 (2) RANGE-WIDE PLAN.—The term “Range-
4 Wide Plan” means the Lesser Prairie-Chicken
5 Range-Wide Conservation Plan of the Western Asso-
6 ciation of Fish and Wildlife Agencies, as endorsed by
7 the United States Fish and Wildlife Service on Octo-
8 ber 23, 2013, and published for comment on Janu-
9 ary 29, 2014 (79 Fed. Reg. 4652).

○