

113TH CONGRESS  
2D SESSION

# S. 2677

To reverse the listing by the Secretary of the Interior of the lesser prairie chicken as a threatened species under the Endangered Species Act of 1973, to prevent further consideration of listing of the 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.

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## IN THE SENATE OF THE UNITED STATES

JULY 29, 2014

Mr. INHOFE (for himself, Mr. COBURN, Mr. CORNYN, Mr. CRUZ, Mr. MORAN, and Mr. ROBERTS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

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

1 **SECTION 1. SHORT TITLE.**

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

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

7 (a) DEFINITIONS.—In this section:

8 (1) CANDIDATE CONSERVATION AGREE-  
9 MENTS.—The terms “Candidate Conservation  
10 Agreement” and “Candidate and Conservation  
11 Agreement With Assurances” have the meaning  
12 given those terms in—

13 (A) the announcement of the Department  
14 of the Interior and the Department of Com-  
15 merce entitled “Announcement of Final Policy  
16 for Candidate Conservation Agreements with  
17 Assurances” (64 Fed. Reg. 32726 (June 17,  
18 1999)); and

19 (B) sections 17.22(d) and 17.32(d) of title  
20 50, Code of Federal Regulations (as in effect on  
21 the date of enactment of this Act).

22 (2) RANGE-WIDE PLAN.—The term “Range-  
23 Wide Plan” means the Lesser Prairie-Chicken  
24 Range-Wide Conservation Plan of the Western Asso-  
25 ciation of Fish and Wildlife Agencies, as endorsed by  
26 the United States Fish and Wildlife Service on Octo-

1 ber 23, 2013, and published for comment on Janu-  
2 ary 29, 2014 (79 Fed. Reg. 4652).

3 (3) SECRETARY.—The term “Secretary” means  
4 the Secretary of the Interior.

5 (b) PROHIBITION ON TREATMENT AS THREATENED  
6 OR ENDANGERED SPECIES.—

7 (1) IN GENERAL.—Notwithstanding any prior  
8 action by the Secretary, the lesser prairie chicken  
9 shall not be treated as a threatened species or en-  
10 dangered species under the Endangered Species Act  
11 of 1973 (16 U.S.C. 1531 et seq.) before January 31,  
12 2020.

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

24 (c) MONITORING OF PROGRESS OF CONSERVATION  
25 PROGRAMS.—The Secretary shall monitor and annually

1 submit to Congress a report on progress in conservation  
2 of the lesser prairie chicken under the Range-Wide Plan  
3 and all related—

4           (1) Candidate Conservation Agreements and  
5           Candidate and Conservation Agreements With As-  
6           surances;

7           (2) other Federal conservation programs admin-  
8           istered by the United States Fish and Wildlife Serv-  
9           ice, the Bureau of Land Management, and the De-  
10          partment of Agriculture;

11          (3) State conservation programs; and

12          (4) private conservation efforts.

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