



Industrial Energy Consumers of America

The Voice of the Industrial Energy Consumers

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July 2, 2014

Public Comments Processing
Attn: FWS-R8-ES-2013-0042
Division of Policy and Directives Management
U.S. Fish and Wildlife Service
4401 N. Fairfax Drive, MS 2042-PDM
Arlington, Virginia 22203

Re: *Endorsement of Letter of December 4, 2013 of Anadarko Petroleum Corporation*

Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Bi-State Distinct Population Segment of Greater Sage-Grouse, 78 Fed. Reg. 64328 (October 28, 2013) RIN 1018-AZ70

Dear Sir or Madam:

With this letter, the Industrial Energy Consumers of America (“IECA”) wishes to endorse the letter dated December 4, 2013 sent to you by Anadarko Petroleum Corporation (“Anadarko”) in response to the U.S. Fish and Wildlife Service’s (“FWS”) proposal for threatened status with special rule for the Bi-State Distinct Population Segment (“DPS”) of Greater Sage-Grouse (*Centrocercus urophasianus*) under the Endangered Species Act of 1973 (“ESA”). 78 Fed. Reg. 64328 (October 28, 2013).

IECA is a nonpartisan association of energy-intensive trade-exposed manufacturing companies, who compete globally, with over \$1.0 trillion in annual sales, over 2,900 facilities nationwide, and with more than 1.4 million employees worldwide. It is an organization created to promote the interests of manufacturing companies through advocacy and collaboration for which the availability, use and cost of energy, power or feedstock play a significant role in their ability to compete in domestic and world markets. IECA membership represents a diverse set of industries including: chemical, plastics, steel, iron ore, aluminum, paper, food processing, fertilizer, insulation, glass, industrial gases, pharmaceutical, building products, brewing, independent oil refining, and cement.

Energy-intensive industries consume over 80 percent of all of the energy of the manufacturing sector, and over 15 percent of U.S. energy. These industries are price sensitive and relatively small changes to the price of energy have relatively large impacts on competitiveness and jobs.

IECA and its member companies are strongly supportive of environmental requirements. It is important that these requirements be carefully determined and responsible, while not preventing the development of natural resources needed to fuel our country and factories that drive economic growth and jobs. We encourage you to work with the oil and gas industry in developing these new standards for the Greater Sage-Grouse. The oil and gas industry are willing partners to achieve your goals.

By submitting this letter, we are reminded of the difficulty of doing accurate surveys to determine the populations of species. We urge you to show flexibility in the event that the population is more significant than previous believed. At point is the recent finding that only three months after the FWS listed the prairie chicken in five states as endangered, reports of major increases have indicated the classification was premature.

With this letter, IECA supports the recommendations Anadarko has made in its December 4, 2013 letter, namely:

- Review of available lek count data upon which many species population estimates are based and historical hunting harvest rates indicate populations of *C. urophasianus* are stabilizing across its range and, in fact, are likely to increase in the future without further restriction on oil and gas activity and development. This is due to a combination of factors including: (1) best management practices employed by the oil and gas industry, (2) technological changes employed by the oil and gas industry which dramatically reduce the disturbance and habitat fragmentation associated with activities, and most importantly, (3) changes in the management of hunter harvest rates as implemented since the mid-1990s.
- Taking historical hunting harvest rates into account, the population trends for *C. urophasianus* forward from 1995 may represent the best scientifically available data from which to make persistence projections and encompass modern temporal changes in species management that promote more appropriate management of sage-grouse populations.
- Earlier scientific information based population predictions on a constant rate of decline that in retrospect is flawed, and erroneously rely on models employed to project forward populations, that in effect assume the population of *C. urophasianus* to go to extinction levels in the future. If historical decline rates have not been constant, then future rates of annual decline cannot be based on an assumption of a constant rate of decline over the previous 42-year period considered by the models. With the information presented in Anadarko's December 4, 2013 comments, FWS should re-examine the population projections noted for the DPS based on the updated information on sage-grouse populations.

We agree with Anadarko that the need for listing a DPS of *C. urophasianus* should be reexamined in light of the best available scientific information, including information that examines the effect of hunting on species populations – information that suggests that the presumption that populations considered in the DPS listing of *C. urophasianus* should be listed under the ESA may lack scientific support.

Thank you for considering this letter of endorsement.

Sincerely,

Paul N. Cicio
President