



July 1, 2019

Public Comments Processing
U.S. Fish and Wildlife Service
MS: BPHC
5275 Leesburg Pike
Falls Church, VA 22041-3803

Re: Comments on Proposed Rule to Reclassify the American Burying Beetle (*Nicrophorus americanus*) from Endangered to Threatened on the Federal List and Proposed Endangered Species Act Section 4(d) Rule FWS-R2-ES-2018-0029

To Whom It May Concern:

The Independent Petroleum Association of America (IPAA) is pleased to have the opportunity to comment on the Proposed Rule to reclassify the American Burying Beetle from “endangered” to “threatened”, which was published in the Federal Register on May 3, 2019 (84 Federal Register 19013).

IPAA is a national upstream trade association representing thousands of independent oil and natural gas producers and service companies across the United States. Independent producers develop 91 percent of the nation’s oil and natural gas wells. Together, these companies account for 83 percent of America’s oil production, 90 percent of its natural gas and natural gas liquids (NGL) production, and support over 4.5 million American jobs.

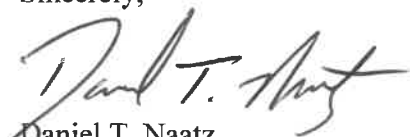
IPAA supports the proposed rule to downlist and reclassify the American Burying Beetle from “endangered” to “threatened” status. IPAA respectfully submits our comments with the attached report conducted by SWCA Environmental Consultants and commissioned by the IPAA and other parties in 2015. The data in this report is frequently referenced in the comments below.

At the time of listing in 1989, the Service claimed up to a 90 percent reduction in the historical range of the American Burying Beetle. This was the foundation of the Service’s decision to list the Beetle as endangered, however, scientifically defensible, range-wide studies of presence versus absence or of abundance have never been completed for this species. There is no evidence that the Beetle is currently in danger of extinction across all or a significant portion of its contemporary range. In fact, current known data shows that the Beetle’s range has grown in recent decades due in part to increased survey efforts as well as implementation of successful captive breeding and reintroduction programs. In fact, there has been a 100-fold expansion of the Beetle’s known range since it was first listed in 1989 as well as a three percent expansion of its known range in 2015.

Maintenance of the Beetle on the list of endangered species is not warranted under the listing criteria of the Endangered Species Act, and the original listing of the Beetle was in error. Furthermore, species that are inappropriately granted ESA protections and “endangered” status can cause significant economic harm. Land development, agriculture, transportation, pipeline, and utility operations are delayed or restricted due to the presence of such a species. In Oklahoma alone, the Beetle has cost \$6.5 million in protection efforts over the past 20 years, including \$1.3 million expended by the Oklahoma Department of Transportation on conservation actions within a 6-year period. The erroneous listing of the Beetle has caused delays of essential road and bridge projects and costs Oklahoma taxpayers significant amounts of public funds that could be otherwise allocated.

For these reasons, IPAA supports the Service’s proposed rule to downlist and reclassify the American Burying Beetle.

Sincerely,



Daniel T. Naatz
Senior Vice President, Government Relations
Independent Petroleum Association of America