



New Mexico Cattle Growers' Association

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<https://www.regulations.gov>

FWS-HQ-ES-2021-0033

Public Comments Processing
Attn: FWS-HQ-ES-2021-0033
U.S. Fish and Wildlife Service
MS: PRB/3W
5275 Leesburg Pike
Falls Church, Virginia 22041-3803

Re: Comments on Endangered and Threatened Wildlife and Plants: Designation of Experimental Populations

Dear Sir or Madam:

In the name of *climate change*, the Fish and Wildlife Service has proposed changes to their regulations which would authorize them to introduce threatened or endangered species “into habitat outside of their historic range for conservation purposes.”

At 16 USC sec. 1532(5)(A), the Endangered Species Act defines *critical habitat* to include “(ii) specific areas outside the geographical area occupied by the species ... upon a determination by the Secretary that such areas are essential for the conservation of the species.” In 50 CFR sec. 17.81, the Service now proposes an amendment that would authorize it to release an experimental population of endangered or threatened species into “habitat that is necessary to support one or more life history stages.”

The New Mexico Cattle Growers' Association opposes the proposed amendment, seeing the proposal as a naked power grab that does not comport with the Endangered Species Act or the 2018 United States Supreme Court decision in *Weyerhaeuser Co. v. United States Fish and Wildlife Service et al.*

How will USFWS implement outlines for success, to measure the effects between two or more species co-inhabiting a critical geographical area? Are there not inevitable negative implications of introducing unfamiliar species with one another in such instances? These species determined by the Secretary as delicate, will have trouble enough living outside their norm. How will USFWS swiftly and effectively ensure that one species does not receive favor over another, or that this proposal in change to regulation will prove to be productive and not nonsensical?

Sincerely,

Loren Patterson, President

LOREN PATTERSON, President, Corona; **BRONSON CORN**, President-Elect, Roswell **JOE CULBERTSON**, Vice-President At Large Amistad, **ROY FARR**, SW Vice-President Datil; **DAVE KENNEKE**, NW Vice-President, Cimarron; **JEFF DECKER**, SE Vice-President, Lovington; **CLIFF COPELAND**, NE Vice-President, Nara Visa; **SHACEY SULLIVAN**, Secretary-Treasurer, Bosque Farms; **RANDELL MAJOR**, Immediate Past President, Magdalena **TOM SIDWELL**, Past President, Quay