



INDEPENDENT PETROLEUM
ASSOCIATION OF AMERICA
**Independent Petroleum
Association of America**

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November 4, 2013

VIA Federal eRulemaking Portal:

<http://www.regulations.gov>

Public Comments Processing
Attn: Docket No. FWS-R9-ES-2011-0080
Division of Policy and Directives Management
U.S. Fish and Wildlife Service
4401 N. Fairfax Drive, Suite 222
Arlington, VA 22203

Re: Comments of the Independent Petroleum Association of America and the American Petroleum Institute regarding 78 FR 54437 (Volume 78, Number 171) Interagency Cooperation re Endangered Species Act of 1973, as Amended; Incidental Take Statements

Dear Sir/Madam:

This letter provides the comments of the Independent Petroleum Association of America (“IPAA”) and the American Petroleum Institute (“API”) (collectively, the “Associations”) in response to the U.S. Fish and Wildlife Service’s (“FWS”) and the National Marine Fisheries Service’s (“NMFS”, collectively, “the Services”) request for public comment regarding a proposed amendment of the regulations governing consultation under section 7 of the Endangered Species Act of 1973, as amended (ESA), regarding incidental take statements; 78 FR 54437 (Volume 78, Number 171), September 2, 2013 (“proposed rulemaking”).

IPAA represents our nation’s independent producers of oil and natural gas. While operating in over 32 states across the country, these independent business owners are the primary producers of America’s oil and natural gas resources. IPAA’s members develop 95 percent of American oil and natural gas wells and account for 85 percent of U.S. natural gas production and 54 percent of American oil production.

API is a national trade association representing over 540 member companies involved in all aspects of the oil and natural gas industry. API’s members include producers, refiners, suppliers,

pipeline operators, and marine transporters, as well as service and supply companies that support all segments of the industry. API and its members are dedicated to meeting environmental requirements, while economically developing and supplying energy resources for consumers.

Members of both Associations are subject to the FWS and NMFS regulations pertaining to the conservation of species and operate in areas that would be subject to the enforcement of the proposed rulemaking. Both Associations are members of the National Endangered Species Act Reform Coalition (“NESARC”), which is the country’s oldest broad-based, national coalition dedicated solely to achieving improvements to the ESA and its implementation.

With this letter, the two Associations endorse the comments to the proposed rulemaking being submitted by NESARC on behalf of its members.

Thank you for considering this letter in your review of comments to the proposed rulemaking. If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,



Dan Naatz
Vice President of Federal Resources
And Political Affairs
Independent Petroleum Association of
America



Richard Ranger
Senior Policy Advisor
American Petroleum Institute