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Congress of the United States
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September 20, 2013

The Honorable Sally Jewell
Secretary
Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Re: Hookless Cactus Management Limiting Indian Energy Development

Dear Secretary Jewel:

It has come to my attention that the U.S. Fish and Wildlife Service's (FWS) management of the Hookless Cactus is limiting the development of energy resources in the Uintah Basin including the Ute Indian Tribe's Reservation. The Basin and the Tribe's Reservation are home to the third largest oil and gas formation in the lower United States. The Tribe relies on the development of its energy resources to fund its government, provide services to its members and invest in the local economy.

Currently, FWS is requiring a 300-foot buffer for the Hookless Cactus, a threatened species under the Endangered Species Act, in the Basin. However, I understand that this buffer directly conflicts with the 100-foot buffer originally used by both FWS and the Bureau of Land Management (BLM) to manage the Cactus in the Uintah Basin on tribal acreage. The 100-foot buffer was assessed and approved in BLM's 2008 Vernal Resource Management Plan and was used as recently as 2011 when the Tribe adopted its own law utilizing the same 100-foot buffer.

The assumptions used by FWS to justify its expanded 300-foot buffer appear dubious. FWS never conducted a study on the Cactus in the Basin and instead relied on a study of plants of a different taxonomy and in completely different physical and ecological settings than those found in the Uintah Basin. Additionally, the expansion of the buffer has seemingly been done arbitrarily as FWS has yet to produce a recovery plan for the species.

If FWS continues to require a 300-foot buffer for energy development in the Basin and on the Tribe's Reservation, it will cost millions in investment, royalties and lost jobs. This is not the right approach, particularly on an Indian reservation where trust resources

are to be managed for the benefit of Indian tribes and every job is needed to overcome staggering unemployment rates on Indian reservations.

I implore the Department of the Interior and FWS to reinstate its 100-foot buffer for the Cactus, rely on sound science and conduct studies based on Hookless Cactus in Uintah Basin and on the Tribe's Reservation before making any other management changes.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rob Bishop", with a stylized flourish at the end.

Rob Bishop
Member of Congress

Cc: Daniel M. Ashe, Director, U.S. Fish and Wildlife Service