

STATE NEWS

Kansas lesser prairie chicken loses endangered species act protections after Texas court order

BY: ANNA KAMINSKI
Kansas Reflector

The lesser prairie chicken, a dancing grouse that has long teetered between threatened and endangered classifications, lost its federal protections in court in a victory for Great Plains petroleum and cattle industries.

In a Tuesday decision from a Texas federal court, the lesser prairie chicken was stripped of any endangered or threatened species protections, which were established through a Biden-era ruling.

The Trump administration challenged that ruling, arguing it contained mistakes, and the lesser prairie chicken would be adequately protected without endangered or threatened classifications.

U.S. District Judge David Counts, a Trump appointee, agreed, denying a slate of motions in a 15-page omnibus order that reversed the U.S. Fish and Wildlife Service’s 2022 classifications.

The lesser prairie chicken forages on what’s widely considered to be prime ranching and drilling land in the grasslands and brush of southwestern Kansas, southeastern Colorado, eastern New Mexico, western Oklahoma and the panhandle and south plains of Texas. The bird was first protected in 2014, a decision that was overturned a year later.

In the 2022 classifications, the bird’s populations were divided into a southern range in New Mexico and the southwest Texas Panhandle, where it was listed as endangered, and a northern range in Kansas, Oklahoma and the northeast Texas Panhandle, where it was listed as threatened.

More than 70% of the estimated lesser prairie chicken population resides in Kansas.

Fish and Wildlife Service admitted in the case that it erred in creating two distinct populations of lesser prairie chickens, and it failed to justify the classification of the two distinct population segments — northern and southern, Counts said.

He added that “the later endangered and threatened findings have no leg to stand on.”

“Fish and Wildlife is unable to correct this square one error without engaging in an entirely new analysis,” he said.

Counts reasoned that any “disruptive conse-



Endangered Species Act protections for the lesser prairie chicken, which resides in Kansas’ grasslands, were removed after petroleum and agricultural industries challenged those protections in court. (Greg Kramos/USFWS)

quences” of removing protections “are short-lived and minimized by the sixteen existing voluntary conservation programs and efforts in place across the range of the lesser prairie-chicken.”

Many of those programs, which are administered by federal, state and private groups, existed before the 2022 listing decision and were designed to mitigate threats to the lesser prairie chicken and its habitat, Counts said.

“These efforts are not thought to be inadequate over the short term,” he said. “Rather, even the current listing decision couched their inadequacies in the long term — a span of 25 years.”

The decision is a win for Kansas agricultural and energy producers, said U.S. Rep. Tracey Mann, who has publicly opposed listing the lesser prairie chicken since 2021. He added it is “a huge loss for radical climate activists and bureaucrats who have abused the Endangered Species Act for over a decade to hurt American agriculture and energy production.”

“Kansas farmers, ranchers and agricultural producers have always been and always will be the original conservationists of the land,” he said.

Mann was behind a bill this year that delisted the lesser prairie chicken and prevented any future efforts to relist it. However, the legislation did not progress.

Matt Teagarden, CEO of the Kansas Livestock Association, said in an emailed statement that the 2022 ruling contained “significant flaws” that “dispropor-

tionately affected livestock operations.” He said the association, which was part of the lawsuit, is pleased the Trump administration is reexamining the listing.

“Over the coming months,” he said, “we hope the U.S. Fish and Wildlife Service will take into account the voluntary conservation efforts already taking place, most of which are being done by ranchers.”

Texas agencies initially sued the Fish and Wildlife Service in March 2023. Among them was the state’s railroad commission, which regulates oil and natural gas production in the state. Attorneys general in Kansas and Oklahoma and the petroleum and cattle industries later joined the suit.

Kansas Attorney General Kris Kobach and Oklahoma Attorney General Gentner Drummond celebrated the decision.

“The listing of the species as threatened or endangered would have crippled oil and wind energy production and would have limited where and when Kansas ranchers could graze cattle on their own property,” Kobach said in a Friday news release.

Drummond said in a Wednesday news release that he had called the Biden administration’s ruling “outrageous and illegal federal overreach.”

“This court decision affirms we were right,” Drummond said. “Oklahoma’s cattle grazing, energy production and rural economy are no longer under siege by this unlawful regulation.”

In Kobach’s initial

argument in federal court, he worried Kansas would lose revenues from cattle ranching, farming, oil and gas production, wind energy production and tourism if the lesser prairie chicken’s threatened status stood. He worried the status would lead to job losses in the state, which would “further adversely impact state tax revenues, in addition to causing social instability among Kansans who lose their jobs.”

Under the Endangered Species Act, the habitat and species protections that accompany a threatened or endangered status determination curtail certain land uses such as cattle ranching, oil drilling and energy production in protected habitats.

Jason Rylander, legal director of the Center for Biological Diversity’s Climate Law Institute, which was an intervenor in the case, said the Trump administration’s rationale for removing the lesser prairie chicken’s protections was in bad faith.

“This ruling has nothing to do with science or the law and everything to do with kowtowing to the oil and gas industry,” he said. “We won’t be silent witnesses while the Trump administration and fossil fuel companies try to carve up what’s left of these dancing birds’ habitat and doom them to extinction.”

But the fight for the lesser prairie chicken is not over, Rylander said.

The institute is considering its legal options, including a possible appeal of Counts’ decision and a new petition with the USFWS to relist the lesser prairie chicken.

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CLASSIFICATION INDEX	
Topic	Number
ANNOUNCEMENTS (100)	
Food Specials	101
Business Opportunities.....	102
Coming Attractions.....	103
Notices.....	104
Lost & Found	105
Lodge Notices	106
EMPLOYMENT (120)	
Help Wanted.....	121
Jobs Wanted.....	122
MERCHANDISE (130)	
Auctions.....	131
Rummage Sales	132
Farm Equip. & Supplies.....	133
Livestock & Equip.....	134
Pets & Supplies	135
Indoor Goods.....	136
Outdoor Goods	137
Merchandise for Rent.....	138
Free	139
Merchandise Wanted.....	140
SERVICE (150)	
Services.....	151
Auctioneers.....	152
VEHICLES, ACCESSORIES (160)	
Autos	161
Trucks	162
Motorcycles	163
Recreational Vehicles.....	164
Vehicle Accessories	165
Vehicles Wanted	166
PROPERTY (180)	
Real Estate for Sale	181
Property for Rent	182
Mobile Homes.....	183
Property Wanted	184
Auctions.....	185
PUBLIC NOTICES	200

104 Notices

AA MEETINGS; 213 W. Oak; Independence; Noon Wednesday, Saturday & Sunday; Wednesday at 7pm. Thursday at 7pm; Sunday at 6pm. Alanon meetings; Tuesday at 7pm TF

JESSE DEATON, 2320 N. 20th St., Apt. 8, Independence, KS abandon personal property, needs to be claimed by August 22, 2025 otherwise, all will be disposed of. Sofa, ottoman, desks, chairs, tvs, hutch, bed, record player, dishes, misc. kitchen and bath items. Aug 19

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200 Public Notice

(First published in the Independence Daily Reporter August 5, 2025)

IN THE 14TH JUDICIAL DISTRICT OF MONTGOMERY COUNTY, KANSAS

IN THE MATTER OF THE PETITION OF Beth Smith To Change His/Her Name To: Beth Smith- Stephens Case No. MGI-2025-CV-55 Div. No.

PURSUANT TO K.S.A. CHAPTER 60 NOTICE OF HEARING- PUBLICATION THE STATE OF KANSAS TO ALL WHO ARE OR MAY BE CONCERNED:

You are herby notified that Beth Smith, filed a Petition in the above court on the 31 day of July, 2025 requesting a judgement and order changing his/her name from Beth Smith to Beth Smith-Stephens. The Petition will be heard in Montgomery County District Court, 300 E. Main, Independence, Kansas on the 22nd day of September 2025 in this court or appear at the hearing and object to the requested name change. If you fail to act, judgement and order will be entered upon the Petition as requested by Petitioner.

s. Beth A. Smith
Petitioner, Pro Se
4836 CR 3525
Independence, KS 67301
620-330-6555
August 5, 12, & 19, 2025

Helpful Tips

Tricks to trim your utility bills

A rapid rise in the cost of living will undoubtedly prove to be one of the major stories of 2022. According to the U.S. Bureau of Labor Statistics, energy prices rose by 41.6 percent in the 12-month period that ended in June 2022, marking the highest 12-month increase since April 1980.

The significant spike in energy costs is somewhat misleading, as the BLS considers motor fuel prices, which rose more than 60 percent in the 12-month period ending in June 2022, part of the energy category. However, during that same period, electricity prices rose by nearly 14 percent while natural gas prices increased by 38 percent. Both of those increases were more significant than the more publicized rise in food prices, which rose by right around 10 percent.

Families need to eat and many professionals now must return to in-person work after years of pandemic-related remote working, which means they must confront higher fuel costs. That leaves little room to save money in those areas. However, there are ways for families to reduce home energy costs without adversely affecting their quality of life.

- Run appliances during off-peak hours. According to the United States Department of Energy and the U.S. Environmental Protection Agency, the best time to use appliances in a home is when overall electricity use is low. Though this time changes depending on the season and can vary based on geography, the DOE and the EPA both note that after 9 p.m. and before 9 a.m. are generally the off-peak hours in most areas.

- Strategically use your shades and blinds. The energy providers at ConEd estimate that about 40 percent of unwanted heat comes through windows. Strategic use of curtains, shades and blinds can keep heat out on hot days, thus allowing homeowners to turn the thermostat up on their air conditioning units in summer. Opening curtains, blinds and shades on winter mornings and afternoons will allow more sunlight in, allowing homeowners to control heating costs more effectively.

- Reorganize your refrigerator. There are plenty of contradictory strategies regarding how best to store foods in a refrigerator so the unit consumes as little energy as possible while still keeping foods fresh and chilled. But various energy providers, including ConEd, recommend that consumers avoid packing a fridge too tightly. By allowing cold air to circulate within the refrigerator, the refrigerator won't need to work as hard, and thus consume as much energy, to keep foods cool. It's important to note that the opposite should govern how the freezer is packed. Packing frozen items tightly in the freezer will help the refrigerator work a little less hard.
- Turn off the lights. Estimates from the U.S. Energy Information Administration indicate that electricity for lighting accounts for around 10 percent of electricity consumption in homes. A concerted effort to turn off lights in rooms that aren't being used can help consumers save money. Rising utility bills are compelling millions of people to seek ways to trim their energy consumption. Thankfully, there are many ways to do that without upsetting daily routines.

EDUCATION

What's going on at your local library

BY BREA SANFORD
brea@indydailyreporter.com

Looking for something fun to do this week? Here's a look at what your local libraries are hosting:

(Please note these functions are prone to change if the weather prevents the libraries from opening.)

INDEPENDENCE PUBLIC LIBRARY

Tuesday, Aug. 19

- Storytime- 10:15 a.m.
- Ladies Night Out- 6:00 p.m.

Wednesday, Aug. 20

- Exercise- 10:30 a.m.
- Teen D&D Club- 5:00 p.m.
- Library Board Meeting- 5:15 p.m.
- Spine and Page- 6:00 p.m.

Friday, Aug. 22

- Qigong- 11:00 a.m.
- Senior Movie: *Dungeons & Dragons: Honor Among Thieves*-2:00 p.m.

COFFEYVILLE PUBLIC LIBRARY

Tuesday, Aug. 19

- Genealogy- 1:00 p.m.

Wednesday, Aug. 20

- Storytime- 10:00 a.m.
- Make a Bracelet- 5:00 p.m.

Friday, Aug. 22

- TCG Night- 4:00 p.m.

Saturday, Aug. 23

- Storytime- 11:00 a.m.