

November 8, 2018

Ms. Amy Lueders  
Regional Director  
U.S. Fish and Wildlife Service Region 2  
500 Gold St.  
Albuquerque, New Mexico 87103-1306

VIA EMAIL

RE: Surrender of the Texas Conservation Plan and Enhancement of Survival Permit for the Dunes Sagebrush Lizard in the Permian Basin in Texas Pursuant to 50 C.F.R. § 13.26

Dear Ms. Lueders:

By this letter, the Texas Comptroller of Public Accounts (CPA) notifies the United States Fish and Wildlife Service (Service) pursuant to 50 C.F.R. § 13.26 that it has discontinued activities under the Texas Conservation Plan (TCP) and hereby surrenders the Enhancement of Survival Permit for the TCP (attached). As provided in 50 C.F.R. § 13.26, CPA understands that the permit is void and cancelled on the Service's receipt of this letter.

As you know, we have submitted a proposed Candidate Conservation Agreement with Assurances (New CCAA) that is intended to replace the TCP. Additionally, we have submitted the necessary National Environmental Policy Act (NEPA) documents, which should allow the Service to expeditiously process the New CCAA. As we have noted previously, the New CCAA addresses a variety of issues that have made the TCP susceptible to challenge in the listing process.

Since the submission of the New CCAA, we understand that the Service has been asked to consider changes to the TCP, or perhaps even transfer administration of it to another entity. These requests detract from the effort to replace the TCP with a defensible, durable plan and are not in the best interest of the state, the Service, or the species. Therefore, to prepare for implementation of the New CCAA, we are surrendering the permit associated with the TCP and redirecting our resources in anticipation of the New CCAA's approval by the Service.

The economic growth of the Permian Basin is essential to the economy of the region, the state and the nation. In order to maintain and build on that economic engine, Texas must continue to comply with the Endangered Species Act, while simultaneously providing a framework for our important industries to continue. The New CCAA proposed by this office is a significant step in that direction and will provide certainty to participants into the future.





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We have fulfilled all of the requirements for a decision on the New CCAA. As I expressed in my letter of October 3, 2018, to Deputy Secretary Bernhardt, CPA requests that a decision be made promptly.

If you need additional information or have questions, please contact me or Robert Gulley, Director of Economic Growth and Endangered Species Management, at 512-463-4598 or [robert.gulley@cpa.texas.gov](mailto:robert.gulley@cpa.texas.gov).

Thank you for your support and the work of your staff.

Sincerely,

A handwritten signature in blue ink, appearing to read "Glenn Hegar".

Glenn Hegar  
Texas Comptroller of Public Accounts

Enclosure

cc: Deputy Secretary David Bernhardt  
Mr. Seth Willey  
Mr. Marty Tugel  
Mr. Chuck Ardizzone  
Mr. Robert Wood  
Dr. Robert L. Gulley  
Ms. Meghan Hope