

AMERICAN STEWARDS

August 16, 2013

Dear Member,

American Stewards truly had an unprecedented event occur this summer when we arranged for eight New Mexico counties to meet with Dr. Benjamin Tuggle, the Southwest Regional Director for U.S. Fish and Wildlife Service – in a single coordination meeting.

We met to discuss the federal agency's lack of science under their proposed listing for the Lesser Prairie chicken that will affect Colorado, Kansas, New Mexico, Oklahoma and Texas if listed as threatened. American Stewards is involved in similar efforts for the Greater Sage grouse and two plants species all because of our work on the Dunes Sagebrush lizard that prevented it from being listed as endangered last year.

What was extraordinary about the meeting that occurred on the campus of Eastern New Mexico University was that four of the eight counties officially called their meetings to order because they had a quorum of commissioners present before the federal agency. It was impressive to hear each county clerk call roll and bring their board to order in an official public coordination meeting.

Dr. Tuggle was duly impressed and eventually opened up and began a real dialogue over the science of the Lesser Prairie chicken. The counties, as in all the other issues American Stewards is now assisting with, brought in a renowned bird biologist Dr. Robert (Bob) Zink from the University of Minnesota to refute the biological data proposed by the U.S. Fish and Wildlife Service under their Federal Register Notice.

Coordination has proven to be one of the most valuable and effective tools in fighting these issues locally and we are now bringing in expert scientists who have studied the federal government's own science so we truly have substance and not emotion as our strength. Through coordination we can insist credible science is considered early in the process in a forum that requires the agency to respond, unlike the public comment process where good science seems to get lost in a black hole.

We have discovered how to utilize the same tactics the environmental groups have been using for years to demand species be listed, but now we can use credible, honest biologists and scientists to refute and dispel and expose the faulty science of the government. We've learned to always review and challenge the government's science because at best, it is suspect nearly 100 percent of the time.

There are multiple reasons for that, but the easiest way to explain their science is, they use what is provided to them by the environmental organizations that petition them to list species. The government has their own scientists, but instead of reviewing the science or performing their own studies, too often they readily accept what is submitted.

Once we begin reviewing their science with unbiased biologists, we find holes, hypotheses, speculation, guesswork, “best professional judgment” and opinions substituted for real data. To list a species as endangered or threatened under the ESA, the “best scientific and commercial data” must be used.

That rarely happens and we are now using coordination to show how weak their science is and how most of their science is politically driven by various groups and agency personnel.

In the meeting, Dr. Zink concluded on the Lesser Prairie chicken: there was no clear evidence the chicken was in decline; the threats identified in the Federal Register Notice were not supported by sufficient data; no scientific case had been made for listing the species; the local counties and state of New Mexico have sufficient programs in place to sustain and recover the species; and, for those and about a dozen other reasons, the listing was not warranted.

Through Dr. Zink, we utilized a peer-reviewed study performed by CESAR, the Center for Environmental Science, Accuracy & Reliability, that emphatically stated the “data do not support the proposed listing of the lesser prairie chicken.” CESAR is made up of former U.S Fish and Wildlife Service personnel from the days of President George W. Bush, who fought from within the agency against bad science and politically motivated bureaucrats. (Go to bestscience.org to read the report.)

American Stewards is now partnering with CESAR and their biologists to fight endangered species listings in other places. To have access to credible and honest scientists is an invaluable tool we’ve incorporated into our strategy and it’s working magnificently.

After presenting our scientific evidence and data during our eight-county coordination meeting, an astounding thing happened. Dr. Tuggle, with U.S. Fish and Wildlife Service began distancing himself and his agency from their own proposed Federal Register notice saying it wasn’t “perfect,” with a smile, and then declared that federal register notices were merely for the purpose of “generating a conversation about the science.” This was clearly inaccurate and demonstrated the agency was backing away from their claims that the LPC was on the verge of becoming threatened, much less extinct.

Federal courts have deferred to Federal agencies and the information in the Federal Register Notices when challenged in court. The U.S. Fish and Wildlife Service’s credibility is on the line when they publish these notices. They are claiming to the public that their science is credible and worthy of listing a particular species as threatened or endangered and have always stood behind them.

To have the Southwest Regional Director claim this Notice was merely a “conversation piece” was quite remarkable and telling.

Until we came along with coordination, no one had ever been able to challenge the government in a credible manner without having to go into court. We now do it in an open and publicly noticed coordination meeting with local government entities.

No other strategy or action is capable of having the results we have with coordination. It's that powerful. Being able to bring federal agencies and their staff to the local government's table is impressive and is essential to our success of protecting the health, safety and welfare of the citizens of a local community. We have learned how to publicly defend and protect the rights of citizens and the local entities that represent them.

Please help us continue these fights. Your gift of \$50.00 or more will allow us to continue our work at beating back these onerous rules that use deceptive, manipulative and false claims to obtain a political objective of control over private property.

Today it's the Lesser Prairie chicken. Tomorrow, it could be one of thousands of species the government and their environmental partners use to bring federal land use control to every non-public piece of private property in America. Stand with us and help us fight back these endangered listings. Man was given dominion over species and we need to defend that position.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Byfield". The signature is stylized with a large, sweeping initial "D" and a horizontal line extending to the right.

Dan Byfield
CEO

P.S. We need your contributions to fight these listings. We also stand ready to help you if you are facing a similar situation. Please don't hesitate to call and find out what can be done.