



Committee on Natural Resources U.S. House of Representatives

Chairman Doc Hastings

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Witnesses Highlight Examples of How ESA Settlements are Harming Transparency, State and Local Economies, and Efforts to Conserve Species

WASHINGTON, D.C. – Today, the House Natural Resources Committee held an [oversight hearing](#) entitled “*ESA Decisions by Closed-Door Settlement: Short-Changing Science, Transparency, Private Property, and State & Local Economies.*” This hearing examined the impacts of the Endangered Species Act’s (ESA) closed-door mega-settlements on listing and critical habitat decisions and the need to reform this law to ensure that its focus is on recovering species while protecting jobs and local economies.

This oversight hearing is the fifth in a series this Committee has held on the Endangered Species Act this year. House Natural Resources Committee Chairman Doc Hastings (WA-04) announced at the hearing today that the Committee intends to advance common sense legislation to improve the ESA for the benefit of both species and people.

“Undoubtedly, some believe cramming hundreds of obscure species onto the ESA list under deadlines and blocking off huge swaths of land because of the settlements are ‘successes,’ but many areas of the country tell a different account of how these policies are impacting their communities, their economies, and ultimately, the species,” **said Natural Resources Committee Chairman Doc Hastings (WA-04).** *“The ‘listing-by-litigation’ approach is not working for people and species.”*

Witnesses at the hearing highlighted the importance of local conservation efforts already underway and how deadlines dictated by closed-door mega-settlements with litigious groups are driving federal listing decisions rather than sound science guided by transparent information.

[Jeff Sikes](#), **Legislative Director for the Association of Arkansas Counties**, called into question the federal government’s “sue-and-settle” practices leading to questionable ESA listings. *“Litigation has devastated the West, and now appears prepared to wreak the same sort of havoc in the South/Southeast. The Neosho Mucket and the Rabbitsfoot Mussel have the potential of putting 42% of our state’s watershed into critical habitat. There should be no attempts by the Fish and Wildlife Service to minimize the impacts that may be visited upon the landowners, most of whom work their tails off every day, to support their families and pay taxes.”*

[Carl Albrecht](#), CEO of Garkane Energy Cooperative, highlighted the need for listing decisions to be driven by transparent and sound information and shared with the Committee the negative effects that these listing decisions are having on rural communities. *“Federal agencies begin treating species as threatened before they are ever listed under the ESA. Such is the case with the Sage Grouse in our area. Some scientific documents on Sage Grouse released by the Department of the Interior have raised serious questions about the data and analysis used in the reports along with concerns over potential conflicts of interest among peer reviewers of the documents.”* Albrecht added, *“We continue incurring expenses to mitigate impacts based on the information from these reports...Garkane and other rural electric cooperatives across the nation believe that, in this the 40th year of the Act, we must look at some type of reform to alleviate the ever escalating economic burden being placed on the backs of a few.”*

[Greg Foley](#), Executive Director for the Kansas Department of Agriculture’s Division of Conservation, shared with the Committee the devastating impact that a listing would have on successful state and local conservation efforts of the Lesser Prairie Chicken. *“Agriculture is the economic driver in Kansas; negative impact to that engine means schools will close, population will decline, jobs will be lost...Because the vast majority of the Lesser Prairie Chicken range is under private ownership, a federal listing will likely hinder our ability to conserve the species rather than increase populations as intended.”* Foley called on the U.S. Fish and Wildlife Service to *“expedite consideration of all plans”* to make sure the needs of local communities, economies, and affected species are met.

[Megan Maxwell](#), Consulting Biologist from Broomfield, Colorado, pointed out the serious flaws and lack of transparency of the federal National Technical Team (NTT) report for Greater Sage Grouse. *“The technical and policy flaws contained in the NTT Report are considerable and must be addressed before it is fully implemented as the ‘one-size-fits-all’ approach will produce misguided land management policies that will not benefit sage-grouse range-wide. Such policies will not provide the best approach to sage-grouse habitat conservation and enhancement because sage-grouse conservation measures must be custom-tailored to reflect site-specific conditions. Failure to address this problem in the NTT Report could result in ecologically devastating consequences, while broad application could conflict with FLPMA and other laws.”*

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