



# Committee on Natural Resources U.S. House of Representatives

Chairman Doc Hastings

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## **Transparency, Sound Science, & Inclusion of States and Localities Needed in ESA Listing Decisions NOT Federal Edicts Driven by Litigation and Settlement Deadlines**

*Committee Considers Six Bills in Broadening National Discussion on Ways to Improve the ESA*

**WASHINGTON, D.C.** – Today, the House Natural Resources Committee held a Full Committee [legislative hearing](#) on six pieces of legislation aimed at updating and improving the Endangered Species Act (ESA), a law that has not been reauthorized since 1988. This hearing is the latest in the Committee’s [efforts](#) to review the ESA to make sure that this important law is working in the best interests of species and people.

*“The bills before us today are not the only solutions to ESA issues but, these bills demonstrate a continuing and growing awareness that ESA, as it currently exists, is not serving people or species well, not just in the West, but in many other areas of the country as well. Among other things, these bills would instill greater transparency, more accurate economic analyses, counting of species, adding sunshine to ESA ‘sue and settle’ policies, and greater deference to states that are already conserving species,” said Natural Resources Committee Chairman Doc Hastings. “Clearly, ESA as written and implemented can be improved upon to ensure that this important law is working in the best interest of species and people and I expect that a discussion on sound legislative updates and improvements will continue well beyond this Congress.”*

Witnesses at today’s hearing reiterated that transparency, sound science, and state, local, and tribal input, should driving listing decisions not closed-door court settlements with litigious environmental organizations.

*“Greater state and local authority over species and habitat management is one way to fix the ESA. Under the current law, far flung activist groups have hijacked the process of listing species as endangered. At the same time, input from local, state, and regional officials — the very people impacted by listing decisions — is not required for such action. Activists have successfully gamed the system. This has led to burdensome and ineffective federal management of species, while collaborative conservation efforts by states have been ignored. Local, state and regional officials are better equipped and should be given the opportunity to coordinate species management efforts with stakeholders.” – [Todd Staples](#), Texas Agriculture Commissioner*

*"Let me be blunt; in my view, the species most threatened here is the American farmer and rancher. We are being marginalized right out of business by over-regulation from federal agencies acting beyond the intentions of Congress. These actions jeopardize the economic stability of the nation's agricultural economy. Four decades ago, the men and women of Congress passed the Endangered Species Act. We now need Congress to exercise some common sense and fix these problems. To be clear, Farm Bureau supports the Endangered Species Act for the protection of legitimately threatened species. However, expansion of the law without first considering the full economic consequences is detrimental to an industry that provides food, fiber and shelter for our country and a good portion of the world."* – [Randy Veach](#), **President, Arkansas Farm Bureau**

*"By engaging in closed door agreements with environmental groups the Fish and Wildlife Service ceded its own species priority setting process to outside parties agreeing to take they're marching orders from work plans created by environmental groups which were then, in turn, approved by a Federal Judge. The result is that while local stakeholders were left out of the process they still faced the responsibility of defending against proposed listings that have the potential to harm their communities... I would suggest that if all parties (stakeholders) are notified through their respective local governments and given the opportunity to be present and participate in the ESA Settlement discussions, there would be benefits potentially overcoming the delays that can result the outcomes of the present closed-door procedures."* – [Tom Ray](#), **Water Resources Program Manager, Texas Water Conservation Association, Western Coalition of Arid States**

*"Sadly, it has become increasingly evident that non governmental entities are driving the agenda and continue to enrich themselves on the backs of American Taxpayers through sue and settle arrangements with USFWS invoking the protections afforded under the Equal Access to Justice Act. This litigious model, by so called non-profit organizations, has not only harmed the American economy by nearly shutting down our Primary and Secondary sectors of Industry but it has further divided the nation because of the disregard many of the outspoken environmental advocates have for private property and the protections afforded by both Federal and State Constitutions for the same.. Adopting this measure (H.R.4256) addresses the inconsistency that architecturally currently places endangered species in an adverse relationship with State, tribal, and private property owners and allows the advantages of localized involvement, shared responsibility and opportunity for recovery of endangered and threatened species while mitigating the negative relationship with the USFWS and the Congress of the U.S."* – [Dave Miller](#), **Commissioner, Iron County & Cedar City, Utah**

*"Those of us charged with conservation of our natural resources and authorized to use the regulatory process to implement those endeavors, must be cognizant of the social and economic impacts or the weight of public opinion will result in its undoing. Should that occur, the losers will be our children and grandchildren. KDWPT and other state wildlife agencies are far better equipped to find the balance than the USFWS. The one size fits all approach, cannot find that balance in the various states. Conservation is too important to jeopardize its future with burdensome regulation or continual*

*litigation. Environmentalist, Conservationist, and Natural Resource Agencies should unite behind voluntary incentives so we can have a true partnership with private property owners to preserve the diversity of our natural resources. H.R. 4866 recognizes the potential of those partnerships and instructs the Secretary of Interior to monitor and report on their progress.” – [Robin Jennison](#), Kansas Secretary of the Department of Wildlife Parks and Tourism*

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