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**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

**Opening Statement of**  
**Chairman Doc Hastings**  
**Committee on Natural Resources**

**On Wednesday, September 04, 2013**

**Billings, Montana Field Hearing**

***"State and Local Efforts to Protect Species, Jobs, Property,  
and Multiple Use Amidst a New War on the West"***

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This afternoon's hearing is the second oversight hearing today regarding the Endangered Species Act (ESA), and another important opportunity to hear specifically from interests directly affected by it.

The ESA Working Group that I and Congressman Lummis co-chair has received hundreds of comments from individuals seeking reform of the ESA. In coming weeks, the ESA Working Group will hold additional forums to ensure broader input from all areas affected by this sweeping law.

Ramped up ESA listings and habitat designations through executive orders and closed-door settlements with litigious groups are wreaking havoc on private landowners, multiple use, agriculture, rural economies, rural timber communities, energy producers, and even states' own species conservation activities.

Montana is certainly one state at the forefront of ESA's impacts. Environmental groups have filed at least 29 ESA-related lawsuits and more than a dozen lawsuits against the Forest Service in Montana over just the past two years alone. Earlier this year, groups sued the Forest Service to block a forest thinning project that would lessen the impact of fires that are destroying Canada lynx and grizzly habitat in the Kootenai National Forest. Threats of lawsuits are delaying job-producing activities for years, such as the Montanore mining project in Lincoln County that have gone through extensive ESA and NEPA analyses.

The BLM claims sage grouse are distributed over an astounding 258,000 square miles in portions of eleven states. In Montana, BLM has identified nearly 3 million acres of "priority area" sage grouse habitat in portions of 39 counties, including important oil and natural gas resources in the Williston and Powder River Basins. Energy producers that support thousands of Montana and North Dakota jobs are concerned with the potential impacts of an ESA listing of sage grouse on existing and potential future lease rights in these areas. Ranchers and sportsmen are justifiably concerned about the impacts to grazing and access as well.

Three years ago, the Obama Administration's Fish and Wildlife Service determined sage grouse ranked relatively low on the priority of candidate species needing federal protection. Yet, in 2011, the Interior Department negotiated two ESA mega-settlements with litigious groups, without input from Congress, affected states or local entities, and started a clock to force hundreds of listings and millions of acres of habitat designations, including the sage grouse. This is simply not good public policy, and demonstrates why ESA is in need of improvement.

I was greatly concerned that a few months ago, BLM issued thousands of pages of Montana resource plans containing sweeping sage grouse measures, and shut off public input after just three short months. They even refused the Montana delegation's requests to extend public comment. Decisions of this magnitude should not be restricted by environmental lawyers' court calendars or federal bureaucrats' marching orders from Washington, DC.

More concerning are the continuing, serious unanswered questions about BLM's lack of data and science supporting National Technical Team and other conservation measures BLM and the Fish and Wildlife Service claim are needed for the Greater Sage Grouse. Recent communications received through a FOIA request to the State of Idaho suggest potentially serious interference by Interior Department officials leading the sage grouse initiative that undermines the credibility of the science used for federal sage grouse measures. The Natural Resources Committee will continue its oversight on these troubling developments.

As we hold this hearing, members of the Governors' Montana Sage Grouse Advisory Committee are meeting to discuss the states' conservation efforts. Hopefully, their efforts will cumulate in the development of much more balanced plans than the federal government's sage grouse directives now being considered.

I look forward to hearing from our witnesses today and a robust discussion on ways to improve the ESA so that it can work toward its true purpose of recovering species and that it also works for people.

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