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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**

**Casper, Wyoming 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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Today the Committee continues its important oversight of the Endangered Species Act (ESA), with the goal of hearing specifically from an array of interests directly affected by it: states, local governments, sportsmen and private property owners.

I am pleased to be here in Casper, Wyoming this morning with Congresswoman Lummis, who co-chairs with me the Congressional ESA Working Group. The Working Group is made up of Members from around the country who understand the need to carefully examine the ESA, which has not been reauthorized in 25 years, and has a less than 2 percent recovery rate.

Already, the Working Group has received hundreds of comments from individuals seeking improvements to the ESA. In addition to this morning's hearing, later today the Committee will be in Billings, Montana in Congressman Daines' district to hear from affected individuals there. 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, rural economies, energy development, and even states' own species conservation activities. Rather than ensuring the federal government cooperates with States "to the maximum extent practicable," on major actions affecting land or water within states' borders as ESA requires, this Administration is allowing 'sue and settle' to dictate how federal agencies use taxpayer-funded resources and how they prioritize endangered species activities.

When species such as the grizzly bear, gray wolf, or the dunes sagebrush lizard, are deemed healthy enough to be removed from the ESA list, states face more lawsuits from agenda-driven groups, blocking or delaying efforts that balance species conservation efforts with other important economic and recreational priorities. While the Interior Department's announced proposal a few months ago to de-list the gray wolf is encouraging, I have a

healthy skepticism about when they will follow through on this long overdue decision, and allow states to finally manage wolves.

Like my other colleagues, I am very troubled that, despite clear legal authority to the contrary, last week, the Obama Administration finalized an executive order that will effectively shut out Congress, states and the American public from knowing the true costs of ESA listings and critical habitat designations that were intended by the law. Already, hundreds of thousands of acres of private property have been included in habitat designations that will dramatically impact the future value and multiple uses of those lands.

For example, the Canada lynx habitat designation includes more than 16 million acres, including 8.5 million acres of private property. The Fish and Wildlife Service itself acknowledges could result in a loss of more than *\$2.3 billion* in lost development revenues.

Meanwhile, serious questions remain about the lack of data and science supporting the measures the BLM and the Fish and Wildlife Service claim are needed for the Greater Sage Grouse in eleven western states. Even though significant state and local resources are being devoted for sage grouse, in Wyoming alone, the BLM has altered, delayed or denied literally hundreds of oil and gas leases, mining and grazing permits, water pipelines and power transmission lines, and weed control projects, due to sweeping federal sage grouse plans.

Rather than force a massive land grab to meet arbitrarily-set court deadlines, successful state, local and private species conservation efforts need to be encouraged and given a chance. Allowing the fate of species to be increasingly decided by federal bureaucrats, lawyers or federal judges is not working and undercuts the true purpose of ESA.

I look forward to hearing from our witnesses today and having a robust discussion on ways that this 40-year old law can be improved for species and people. In addition to the testimony from our witnesses, we also want to hear from everyone else who is impacted by the ESA. I encourage people to go online and visit [esaworkinggroup.hastings.house.gov](http://esaworkinggroup.hastings.house.gov) and submit comments to the Working Group.