

Endangered Species Act

Issue

The Endangered Species Act does not adequately address private property rights. The Act is being used to supersede other local, state and federal natural resource management programs without congressional review and reauthorization.

Problem

The Endangered Species Act (ESA) of 1973 was passed with good intentions and has served its purpose in the case of several species such as the Bald Eagle. However, with recent provisions and amendments to the Act, the intent has been altered thus causing many discrepancies and interpretations. The ESA does not adequately take into consideration people and the economic impacts it has on communities. The Act has been counter-productive to the goal of protecting some species. Enforcement of the Act has often been based on a lack of scientifically-valid, peer-reviewed data, creating hurdles, hardships and disincentives for practicing conservation, as well as generating fear in landowners and managers.

How would this affect your constituents

The listing of species as endangered or threatened often has profound adverse effects on soil and water conservation projects, agriculture, private property rights and the economic needs of people and communities who get their livelihood from lands and waters that are or may be designated as critical habitats. The ESA has been used as a tool by special interest groups to further their personal agendas to attack private property rights, economic development, grazing and other agricultural and community activities that they disapprove of.

What you can do about this issue

Amend the ESA to assure that it is administered responsibly; that the U.S. Fish and Wildlife Service is accountable to conform to the intent of the Act; that decisions of the agency are science-based; that the cost/benefit and well-being of citizens and communities are weighted heavily in consideration of any listing and that local and state governments are part of the process.

Some issues to be considered include

- Require clear and convincing peer-reviewed, scientifically-valid data to list species; provide for compensation of resource economic and social impacts to provide for stable communities affected by species listings; and provide explicit safe harbor for good faith efforts.
- Acknowledge and develop local capacity of conservation districts and other locally elected officials to increase technical capacities to gather data, prepare resource

management/land use plans, create habitat conservation plans, candidate conservation agreements, etc.

- Require the U.S. Fish & Wildlife Service to acknowledge local conservation districts as political sub-divisions, pursuant to Section 4 of the ESA, which have specific statutory responsibilities to address species and habitat protection.

- Obtain resources to provide incentives for landowners/managers to voluntarily provide protection of species and habitat.

Contact

Ralph Stalehi (435) 673-3085 or (435) 673-4096

Allen Henrie (435) 676-2686

Myra Hyde (202) 547-6223