



ENDANGERED SPECIES:

House Republicans outline proposals for overhauling iconic law

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Tuesday, February 4, 2014

A group of House Republicans today released recommendations for updating the Endangered Species Act, including emphasizing species recovery and delisting, reforming the settlements made between federal agencies and conservation groups, and improving cooperation with states, tribes and other stakeholders.

Legislation containing these proposals will be introduced in the next 30 to 45 days, House Natural Resources Chairman Doc Hastings (R-Wash.) said. The proposed changes will not come in a giant overhaul, he added, but instead in piecemeal measures.

“Strong support remains for conserving endangered species,” he said at a press conference this morning. “However, our findings show that there is room for improvements.” The report recommends that ESA, which turned 40 in December, be reformed to focus on recovering and delisting species. According to the report, there has been a “seeming fixation” on listing species instead of ensuring recovery.

The recommendation calls for federal agencies to have recovery plans drafted and completed before endangered species listings are granted or critical habitat is designated.

Another recommendation calls for more flexibility when it comes to meeting the 12-month deadline for issuing a ruling on whether to list a species and the 90-day deadline to respond to a listing petition. That relates directly to the litigation filed by conservation groups such as the Center for Biological Diversity and WildEarth Guardians when the deadlines weren’t met.

The report also called for more transparency for the mega-settlements reached with those two groups. The Fish and Wildlife Service reached agreements with them in 2011 that require the agency to within six years issue final listing decisions for more than 250 candidate species and initial listing decisions on hundreds more. In return, the groups agreed to limit new petitions and legal challenges.

“Federal agencies should be required to disclose all details of consent decrees to Congress and an appropriate [National Environmental Policy Act] process should be applied for settlements to ensure public input in ESA decisions,” the report said.

Further, groups should be discouraged from filing such lawsuits “simply because they do not agree with the agency’s decisions,” such as delisting determinations or findings that listings aren’t warranted, the report said.

The report also called for the federal government to better involve state, tribal and local

governments, as well as private property owners, in endangered species policy decisions and settlements.

The recommendations are the result of an eight-month effort from the Endangered Species Act Congressional Working Group, which is made up of 13 House GOP lawmakers. The group, led by Hastings and Rep. Cynthia Lummis (R-Wyo.), received hundreds of comments and heard from nearly 70 different people during forums and Natural Resources Committee hearings. Their process has not been without controversy; last year, wildlife advocates said they were not invited until the day before a forum to present their views (E&E Daily<<http://www.eenews.net/eedaily/stories/105998871>>, Oct. 11, 2013).

While members of the group hailed the recommendations at a press conference this morning, Natural Resources Committee ranking member Peter DeFazio (D-Ore.) criticized the report, saying the recommendations would not go anywhere in the Senate.

“If this so-called report issued by a partisan task force is any indication, we will likely spend time debating legislation that will be cast as ‘common sense’ reforms, but will actually gut a law that has prevented the extinction of iconic American animals such as the bald eagle and the gray wolf,” he said in a statement.

The report was also denounced by the conservation groups it mentioned. Brett Hartl, endangered species policy director for the Center for Biological Diversity, said the report shows that the Republican Party is “out of step” with the American public.

“There are so many egregious manipulation of facts and data that is hard to even know where to start in pointing out errors,” he said in an email. “The reality is that the best way to save imperiled species is to protect them under the Endangered Species Act.”