



NATIONAL ENDANGERED SPECIES ACT
REFORM COALITION

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September 19, 2019

The Honorable Raul Grijalva
Chairman
Committee on Natural Resources
United States House of Representatives
Washington, DC 20515

The Honorable Rob Bishop
Ranking Member
Committee on Natural Resources
United States House of Representatives
Washington, DC 20515

The Honorable Jared Huffman
Chairman
Subcommittee on Water, Oceans, and Wildlife
Committee on Natural Resources
United States House of Representatives
Washington, DC 20515

The Honorable Tom McClintock
Ranking Member
Subcommittee on Water, Oceans, and Wildlife
Committee on Natural Resources
United States House of Representatives
Washington, DC 20515

Dear Chairman Grijalva, Ranking Member Bishop, Chairman Huffman, and Ranking Member McClintock:

On behalf of the National Endangered Species Act Reform Coalition (NESARC), I am writing to express strong opposition to H.R. 4348, the "Protect America's Wildlife and Fish in Need of Conservation Act of 2019." This bill would effectively "void" rules that were developed through an extensive notice and comment process that gave members of the public ample opportunity to review and provide input on improvements to regulations implementing the Endangered Species Act (ESA).

NESARC is the country's oldest broad-based, national coalition dedicated solely to achieving improvements to the ESA and its implementation. Our membership includes agricultural interests, cities and counties, conservationists, electric utilities, energy producers, farmers, forest product companies, home builders, oil and gas companies, ranchers, realtors, water and irrigation districts, and other businesses and individuals throughout the United States. NESARC is committed to promoting effective and balanced legislative and administrative improvements to the ESA that support the protection of fish, wildlife, and plant populations as well as responsible land, water, and resource management.

The final rules published by U.S. Fish and Wildlife Service and National Marine Fisheries Service (the "Services") significantly enhance administration of the ESA while addressing uncertainty and the lack of predictability in species listing and consultation processes under the law. These are long-needed updates to regulations implementing Section 4, which focuses on listing species and designating critical habitat, and Section 7, which requires action agencies to consult with the Services on the effects of their proposed actions and otherwise ensure that their actions do not jeopardize the existence of listed species or result in the destruction or adverse modification of critical habitat.

The ESA was enacted in 1973 and has not been reauthorized since 1988. ESA legislation developed by Congress should focus on improving the law to reflect 45 years of lessons learned, advancements in science and technology, increased interest in voluntary conservation, and State and local engagement. Instead, this

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bill is a partisan attempt to disallow a meaningful effort to update and improve how the Services administer the law.

Rather than pursue H.R. 4348, we urge lawmakers to work collaboratively to develop legislation to reauthorize, improve, and update the ESA.

Please do not hesitate to contact me at ryany@fb.org, or NESARC's Executive Director, Jordan Smith at jas@vnf.com, with questions or if we may be of additional assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Yates". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ryan R. Yates
Chairman