



Wyoming County Commissioners Association

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June 6, 2018

The Honorable John Barrasso, M.D.
United States Senator
Chairman
Senate Committee on Environment and Public Works
410 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Barrasso,

Thank you for your diligent work to craft legislation to modernize the Endangered Species Act (ESA). As you know, the Wyoming County Commissioners Association has long supported efforts in both the United States House and Senate that would take steps to update and improve the ESA to support species recovery, best available science, open and accessible policy decisions, and maximum state and local government involvement in decision making. We believe that the Endangered Species Act Amendments of 2018 offers meaningful improvements to the ESA, and we offer our support.

Notably, the Endangered Species Act Amendments of 2018 for the first time requires that the federal government engage in meaningful consultation with states on developing and — importantly — sticking to recovery goals that will ultimately lead to the downlisting or delisting of endangered species. We should not forget that the purpose of the ESA is to recover species to the point that removal from the list is warranted. Removal from the ESA should be seen as the conservation victory that it is, and states are well positioned to not only assist in reaching that goal, but in sustaining those successes over the long term.

We also strongly support the inclusion of local governments in the section to improve transparent data, information dissemination, and litigation. In land management decisions under the Departments of Interior and Agriculture, local governments are recognized as cooperating agencies with all the rights and responsibilities that come with that designation. In short, counties are not “stakeholders,” we are governmental partners. The ESA presents different challenges than the organic land management Acts, but the principle remains. While counties might often defer to expert state agencies when commenting, preserving the role of local governments as agencies unto themselves is important when individual counties have undertaken their own baseline studies, scientific research, or conservation plans apart from the State’s efforts. In Wyoming, Campbell County’s efforts to bolster data to support our understanding of raptors in the context of energy development comes to mind.

As this legislation moves through your committee, and hopefully the entire Senate and House, we are committed to working with you to achieve the goal of improving the Act. To that end we hope to identify further areas where specific guidelines on consultation with county government

would improve outcomes. Do not hesitate to reach out to us at any time. Again, thank you for your careful attention to this long-standing issue. After more than four decades without serious improvements to the Act, we are grateful for your serious attempt at modernization.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Hendry". The signature is fluid and cursive, with a large initial "R" and "H".

Rob Hendry
President

Wyoming County Commissioners Association