



# SOUTH DAKOTA DEPARTMENT OF GAME, FISH AND PARKS

523 EAST CAPITOL AVENUE | PIERRE, SD 57501

June 14, 2018

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

RE: Endangered Species Act Amendments 2018 discussion draft legislation

Dear Chairman Barrasso:

Thank you for the opportunity to offer my enthusiastic support for your important efforts to improve the Endangered Species Act (ESA). Reform is long overdue, and legislation such as this is vital to ensuring conservation of species is more collaborative and recovery-focused.

I have spent close to 40 years working in State fish and wildlife agencies and the ESA has long been one of the more contentious and frustrating pieces of federal law I have had to deal with. The ESA has been used many times in the past as a blunt instrument to impede responsible resource development and to usurp the public trust responsibility that every state wildlife agency has to manage our fish and wildlife resources. Furthermore there has not been a consistent approach on how federal agencies have implemented.

We have had past discussions that maybe the best approach would be just repeal the ESA. I truly believe that is neither a practical nor an achievable option. Instead I commend your more measured approach that is consistent with what the Western Governors Association and the Association of Fish and Wildlife Agencies have proposed. Chief among the improvements, and in my view the most meaningful reform from a wildlife recovery perspective, is your proposal to ensure State wildlife agencies play a key role the ESA process.

It is critical for States to have an integral role in listing, delisting and species recovery. The States need to be viewed as leaders in species management and the recovery process. I firmly believe by giving State wildlife agencies a more prominent role in the ESA that the entire process will be more successful at conserving at-risk species. I am equally encouraged that this bill stops short of saddling the States with unfunded mandates, thus recognizing that we are often constrained by lack of adequate funding and resources.

South Dakota Game, Fish, and Parks believes in providing responsible management of our fish and wildlife through fostering partnerships and cultivating stewardship to benefit future generations. These core principles should be embraced and memorialized through the day to day implementation of the ESA. I am encouraged to see legislation that strives for species recovery through scientific data, cooperation, transparency, proactive conservation, and species monitoring.

Thank you for your leadership on this important reform bill. I truly believe this bill will go a long way to putting the ESA process on a more solid and sustainable footing. Please do not hesitate to contact me if I can provide additional information or support.

Sincerely,

Kelly R. Hepler  
Cabinet Secretary