



# MICHIGAN UNITED *Since 1937* CONSERVATION CLUBS

*Uniting Citizens to Conserve, Protect and Enhance Michigan's Natural Resources and Outdoor Heritage*

PO Box 30235 Lansing, MI 48909 | 800.777.6720 P | [www.mucc.org](http://www.mucc.org)

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

Dear Chairman Barrasso,

Thank you for the opportunity to provide these comments on behalf of Michigan United Conservation Clubs (MUCC). MUCC is an organization of hunters, anglers, trappers and conservationists in Michigan who are committed to science-based wildlife management, the preservation of our outdoor heritage, and the wise use of our natural resources. Across Michigan, over 40,000 individuals and over 200 affiliated organizations are members of MUCC.

The Endangered Species Act (ESA) has been an instrumental tool in the recovery of hundreds of important and iconic wildlife species across the United States. Its importance as a regulatory tool to ensure the conservation of fish, wildlife, plants and their habitats cannot be understated nor should they be undervalued. What we also recognize is that the ESA has become scarred by decades of recreationally litigious entities which have succeeded in leveraging the judicial system to prevent down-listing and delisting species that have long met or exceeded recovery goals because of the circuitous procedural path that has been defined by the courts over the last four decades. This not only undermines public esteem for the ESA but it also represents an unconscionable consumption of resources for the management of species which no longer require protection under the ESA at the expense of those which do.

In our view, any legislative treatment of the ESA should seek to inoculate, as much as is practicable, delisting and down-listing decisions from litigation that is essentially unrelated to the question of whether the species has met stated recovery goals or not. In other words, legal challenges made on the basis of a procedural flaw but that does not challenge the recovery status of a species should not legally imperil the delisting or down-listing event.

We feel it also important to focus the attention of Congress on preventing species from necessitating listing under the ESA in the first place. To accomplish this, we believe that passage of H.R. 4647 and S. 3223 (provided automatic, non-discretionary funding is incorporated into the bill) provides the surest way to prevent the employment of the invasive, though necessary, provisions of the ESA. We encourage

merging these two legislative approaches as complementary of one another to both reform ESA so that it can be focused on species necessitating actual recovery and support for the management actions that are specifically designed to obviate the need for listing.

Joining us in these comments are:

-**The Upper Peninsula Sportsmen's Alliance (UPSA)** an important organization of hunters and anglers primarily from across Michigan's Upper Peninsula;

-**The Michigan Bear Hunters Association (MBHA)**, a large and powerful statewide voice for conservation;

-The **U.P. Whitetails Association of Marquette County**, an active and engaged organization of deer hunters;

-The **Straits Area Sportsmen's Club (SASC)**, which represents conservationists, hunters, on the eastern end of the Upper Peninsula;

-The **Michigan Hunting Dog Federation (MHDF)**, a statewide organization focused on hunting, habitat, conservation and the training, care, and husbandry of hunting dogs;

-**The Upper Peninsula Bear Houndsmen's Association (UPBHA)**, an organization of bear hound hunting enthusiasts and advocates.

We look forward to engaging with you, your committee, and colleagues in the United States Senate to seek out the reforms needed to restore the original intent and function of the ESA.

Sincerely,

Daniel Eichinger  
Executive Director  
Michigan United Conservation Clubs