



June 15, 2018

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

Dear Chairman Barrasso:

Western Energy Alliance strongly supports modest, incremental efforts to reform the Endangered Species Act (ESA). As you, the Western Governors Association, and many stakeholders across the West have long recognized, the ESA has become too cumbersome and prohibitive of responsible economic activity and job creation while being ineffective at protecting and recovering species. We fully support efforts by Congress to modernize the ESA, and the introduction of the ESA Amendments of 2018 helps initiate that important process.

Carrying out the intent of the ESA has become an overly cumbersome process where more resources are spent by the U.S. Fish and Wildlife Service (FWS) on paperwork and responding to litigation than providing on-the-ground conservation that benefits species and their habitat. The ESA has also far too often been used primarily as a means to prevent or delay responsible economic activity rather than to truly protect species. The lack of effectiveness of the ESA is clear in that only about 2% of listed species have actually been recovered.

When applied too broadly or for species that do not truly warrant a listing, the ESA can have very negative economic and job impacts on states, local communities, and the nation without commensurate benefits to species or their habitat. It is time to modernize the Act so that it is refocused back on the original intent of protecting and recovering species.

Federal ESA listings often thwart existing state, local and private efforts to protect species, and the threat of a listing may disincentivize voluntary conservation efforts under current regulations. Rather than imposing one-size-fits-all species listings that harm communities and obstruct on-the-ground conservation, FWS should support and defer to state plans, voluntary conservation agreements, and scientifically-sound management policies. Increasing transparency and prioritizing listing petitions, reviews, and determinations will also help FWS utilize limited resources in the most efficient manner possible.

We appreciate that the draft legislation identifies these critical concepts for ESA modernization and provides the foundation for sensible changes. We urge Congress to pass legislation updating the ESA with targeted changes to improve the consistency and effectiveness of the law, increase transparency and regulatory certainty, and update the scientific standards by which decisions are made.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathleen Sgamma".

Kathleen Sgamma  
President