

Congress of the United States
Washington, DC 20515

August 1, 2017

The Honorable Rob Bishop
Chairman
Committee on Natural Resources
1324 Longworth House Office Building
Washington, DC 20515

The Honorable Raul Grijalva
Ranking Member
House Committee on Natural Resources
1329 Longworth House Office Building
Washington, DC 20515

The Honorable Mike Conaway
Chairman
House Committee on Agriculture
1301 Longworth House Office Building
Washington, DC 20515

The Honorable Collin Peterson
Ranking Member
House Committee on Agriculture
1010 Longworth House Office Building
Washington, DC 20515

Dear Chairmen Bishop and Conaway and Ranking Members Grijalva and Peterson:

We write to you regarding pressing issues impacting agriculture—and in particular, the critical need to address crushing federal regulatory burdens imposed on farmers and ranchers.

On April 26, 2017, President Trump signed an Executive Order (EO) titled, “[Promoting Agriculture and Prosperity in Rural America](#).” The EO established an interagency task force and made clear that it is “in the national interest to ensure that regulatory burdens do not unnecessarily encumber agricultural production, harm rural communities, constrain economic growth, hamper job creation or increase the cost of food for Americans and our customers around the world.”

As members dedicated to improving the quality of life for our citizens, we share these sentiments and believe this Congress presents a bipartisan opportunity to address the many regulatory issues affecting the agriculture community. We are also committed to advancing private property rights and strengthening local control. However, existing federal rules undermine these key principles, needlessly crippling agricultural production while failing to advance meaningful environmental objectives.

We ask that your Committees work together to address the numerous regulatory inefficiencies and statutory roadblocks in the agriculture community by modernizing the Endangered Species Act (ESA) and similarly outdated laws and regulations. These much-needed updates would ease the stranglehold on farmers and ranchers who often face the brunt of these job-killing mandates.

As Senator John Barrasso (R-WY), Chairman of the U.S. Senate Committee on Environment and Public Works, [recently explained](#):

Of 1,652 species of animals and plants in the U.S. listed as either endangered or threatened since the law was passed in 1973, only 47 species have been delisted due to recovery of the species.

In other words, the Fish and Wildlife Service has concluded that less than 3 percent of species in the United States under the protection of the Endangered Species Act have recovered sufficiently to no longer necessitate the protection of the statute.

As a doctor, if I admit 100 patients to the hospital and only 3 recover enough under my treatment to be discharged, I would deserve to lose my medical license.

This clear failure of the existing ESA is compounded by attacks on property rights through substantial federal restrictions on land use, and the ESA's one-size-fits-all approach to species protection that has little regard for solutions from states and local shareholders. The ESA as it stands fails to effectively de-list or rehabilitate species and consistently neglects to incorporate the necessary input of on-the-ground experts and stakeholders in the classification and recovery process.

There is abundant evidence that ESA needs to be modernized to better protect species, to fulfill its original statutory intent and to treat property owners, states, and local communities as partners rather than obstacles in species rehabilitation. These goals are practical, attainable, and will ultimately improve the ESA's ability to preserve our nation's incredible and important biodiversity.

Defined recovery goals must be established to ensure species are removed from the list when desired population levels are met. Society as a whole should be expected to bear the costs of species protection, not specific property owners and employers singled out by overly-broad regulatory criteria—criteria often designed to bar them from as much land as possible without regard for the actual recovery needs of the designated species. Finally, local stakeholders should be encouraged to be a part of the solution, not pushed aside in favor of federal micromanagement.

The undue burden placed unfairly on agriculture is widely-recognized. Representatives of that community like the Farm Bureau and the Family Farmer Alliance [repeatedly attest](#) to the disproportionate and often unnecessary challenges they face.

The Farm Bureau [acknowledges](#) the “devastating impacts” the poorly-implemented ESA has had on many segments of our society, but notes that “...its impacts fall more unfairly on farmers and ranchers. One reason for this is that farmers and ranchers own most of the land where plant and animal species are found...Unlike other industries, farm and ranch land is the principal asset used in their businesses. ESA restrictions are especially harsh for farmers and ranchers because this prevents them from making productive use of their primary business asset.”

In February, James Holte confirmed these challenges when [testifying on behalf of the Wisconsin Farm Bureau](#) before the U.S. Senate when he explained: “[The ESA] imposes far-reaching regulatory burdens on agriculture. Farmers and ranchers consider it their personal responsibility to be stewards of the land; however, the ESA creates many challenges for them to balance agriculture production with wildlife habitat.”

Your Committees are well positioned to act on cost-saving, modernization measures that will bring the ESA and other rules into the 21st century. There may be no more important policy change for our nation's agriculture community than reducing its crushing federal regulatory burden. If we adopt a system that induces and incentivizes thoughtful and collaborative

regulation, farmers and ranchers will be empowered to do what they do best: produce food and other agriculture products in abundance for the American people and the rest of the world.

Thank you for your consideration of this request. We look forward to working with you and your Committees to make regulatory reform a major focus of the next farm bill.

Sincerely,



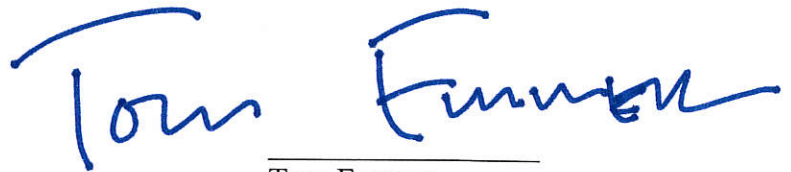
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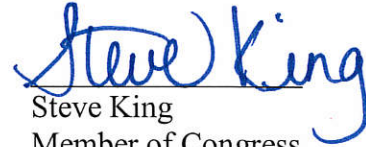
Dave Brat
Member of Congress



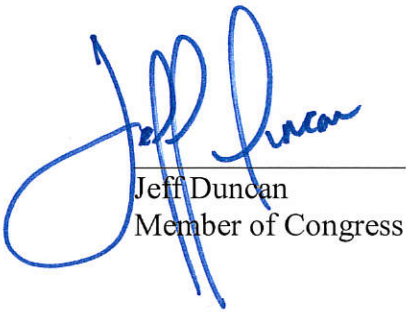
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