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Congressional Western Caucus  
Jeff Small, Executive Director  
Congressman Paul A. Gosar, D.D.S., Senior Advisor  
2057 Rayburn HOB  
Washington, D.C. 20515

July 5, 2018

Re: American Loggers Council Support for the Endangered Species Act Reforms

Dear Mr. Gosar and Mr. Small,

The American Loggers Council (ALC), representing professional timber harvesters in 33 states across the United States, supports legislation that amends the Endangered Species Act of 1973, and appreciates the inclusion of the following issues that we have taken a position on since 2014:

- 1. Increase the role of the states as found in the “EMPOWERS Act of 2018”, and the “LAMP Act of 2018”,** requiring the Secretary to solicit information from the Governor of each State regarding the status of a proposed species and whether listing is warranted, and recognizing the expertise that State and local governments bring to the table when managing, protecting and conserving both species and habitat within their jurisdiction.
- 2. Provide explicit statutory authority for No Surprises as found in the “Predicts Act of 2018”, and recognizes private property rights while providing for voluntary protection and conservation efforts for species and habitat as found in the “LOCAL Act of 2018”.** These Acts codifies the No Surprises regulations adopted by the U.S. Fish and Wildlife Service and provide certainty and reduce the legal and financial risk of incidental take permit holders covering all commitments by private parties for voluntary protection and enhancement of species and habitat, including safe harbor agreements, species recovery agreements, candidate conservation agreements, and habitat reserve agreements. The Act also rewards and incentivizes voluntary actions through private party conservation grants.
- 3. Provide statutory standards to improve the use of science which is found in the “PETITION Act of 2018”,** which would allow the U.S. Fish and Wildlife Service to automatically decline petitions which fail to meet certain scientific standards and puts in place incentives for filers to submit unbiased scientific data when requesting a new listing.
- 4. Update the statutory process for designating critical habitat as found in the “WHOLE Act of 2018”.** This Act allows substitution of habitat outside of the critical habitat designation to



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offset potential destruction or adverse modification of critical habitat from a proposed federal action to help reduce delay and prevent additional costs in otherwise lawful actions.

**In addition to the above mentioned support, the American Loggers Council also would like to support the 'LIST Act of 2018'**, which addresses recovery plans and procedures to delist or downlist a species and the **STORAGE ACT of 2018'**, which addresses critical habitat designations on fluctuating water levels in existing reservoirs and artificial water delivery facilities.

We applaud your efforts for introducing these Endangered Species Act Amendments in 2018 and believe they address most of the changes to the ESAs that members in our organization have sought since 2014.

In summary, The American Loggers Council supports the following proposed legislation:

1. The "Less Imprecision in Species Treatment Act of 2018", the LIST Act of 2018
2. The "Permit Reassurances Enabling Direct Improvements for Conservation, Tenants, and Species Act of 2018" the PREDICTS Act of 2018
3. The "Ensuring Meaningful Petition Outreach While Enhancing Rights of States Act of 2018", the EMPOWER Act of 2018
4. The "Stop Takings On Reserves Antithetical to Germane Encapsulation Act of 2018", the STORAGE Act of 2018
5. The "Weigh Habitats Offsetting Locational Effects Act of 2018", the WHOLE Act of 2018
6. The "Land Ownership Collaboration Accelerates Life Act of 2018", the LOCAL Act of 2018
7. The "Localizing Authority of Management Plans Act of 2018", the LAMP Act of 2018, and
8. The "Permitting ESA Timing Improvements That Increase Opportunities for Non-listing Act of 2018", the PETITION Act of 2018.

Sincerely,

Daniel J. Dructor  
Executive Vice President