

July 10, 2018

The Honorable Paul Gosar  
Chairman, Congressional Western Caucus  
United States House of Representatives  
2057 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Gosar:

On behalf of the nearly 6 million Farm Bureau member families across the United States, I commend you and your colleagues for your leadership in the development of common-sense modifications to improve the Endangered Species Act (ESA). For the last 30 years, Congress has been unable or unwilling to successfully provide meaningful changes to the ESA while allowing the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) free reign to fundamentally alter and strengthen the regulatory strengthen power of the ESA through rulemaking after rulemaking.

Congress enacted significant amendments to the ESA in 1978, 1982 and 1988, while keeping the statutory framework of the 1973 Act essentially unchanged. Today, the ESA provides “protections” for 1,661 domestic species at a cost of \$1.47 billion annually (FY 2016). However, only 3 percent of species have been successfully delisted and removed from the list since the law was enacted 45years ago. It is time to reform the ESA and protect and ultimately recover threatened and endangered species.

Reform is necessary because there are clear shortcomings associated with the upkeep and recovery rate of listed species. Congress intended for the ESA to protect species from extinction, but the law fails to accomplish this intended purpose by prioritizing species listings over actual recovery and habitat conservation. Unfortunately, the law fails to provide adequate incentives for working lands species conservation and imposes far-reaching regulatory burdens, which restrict agriculture’s ability to produce food, fuel and fiber for consumers here at home and around the world.

Unlike other industries, farm and ranch land is the principal asset used in their business. ESA restrictions are especially harsh for farmers and ranchers because the law prevents them from making productive use of their primary business asset. Unlike other industries, farmers and ranchers typically live on the land in which they work and operate with a strong focus on both economic and environmental stewardship.

Restrictions imposed by endangered species concerns also adversely impact the quality of life for farmers and ranchers. Fundamentally, farmers and ranchers across the United States are united by a culture of sustainability, ethics and moral values. Many family farms have been in operation for nearly 100 years. Generation after generation these family farms demonstrate stewardship for the land, water rights and a “leave it better” mentality. Additionally, access to water, crop

protection tools and normal farming practices are threatened by ESA regulatory restrictions (i.e., take prohibitions, critical habitat, loss of farm programs, and loss of financial tools such as loan guarantees).

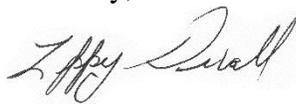
Despite the fact that the ESA was enacted to promote the public good, farmers and ranchers bear the financial brunt of providing food and habitat for listed species through restrictions imposed by the ESA. Society expects that listed species be saved and their habitats protected, but this cost falls on the landowner upon whose property a species is found. Farmers follow the law. Because of this, they need straight lines with respect to regulatory requirements as blurry lines bring uneasiness.

We recommend the enactment of the following Western Caucus ESA legislative proposals to resolve this regulatory uncertainty:

- LIST Act – Less Imprecision in Species Treatment Act
- PREDICTS Act - Permit Reassurances Enabling Direct Improvements for Conservation, Tenants, and Species Act
- EMPOWERS Act – Ensuring Meaningful Petition Outreach While Enhancing Rights of States Act
- STORAGE Act – Stop Takings on Reserves Antithetical to Germane Encapsulation Act
- WHOLE Act – Weigh Habitats Offsetting Locational Effects Act
- LOCAL Act – Land Ownership Collaboration Accelerates Life Act
- LAMP Act – Localizing Authority of Management Plans Act
- PETITION Act – “Permitting ESA Timing Improvements That Increase Opportunities for Non-listing Act.
- Endangered Species Transparency and Reasonableness Act

The American Farm Bureau Federation strongly supports these bills and we look forward to working with you on these important legislative proposals. We commend you for your leadership in promoting these common-sense modifications to improve the ESA.

Sincerely,



Zippy Duvall  
President

CC: Representative Andy Biggs (AZ-05)  
Representative Steve Pearce (NM-02)  
Representative Scott Tipton (CO-03)  
Representative Bruce Westerman (AR-04)  
Representative Don Young (AK-At Large)



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