



Western Agriculture and Conservation Coalition Common Endangered Species Act Principles

Implementation of the ESA should focus on maximizing the conservation and recovery of species and avoiding burdens on landowners essential to meeting the requirements of the Act. Improving the incentives and mechanisms for private landowners to manage their lands in ways that advance the objectives of the Act is among the highest priority changes needed for implementation of the Act. The following suggestions would help bring about this change in the implementation of the ESA:

Focus on recovery

- Recovery should be promoted by FWS and NMFS and clearly define the criteria for a listing decision and/or the recovery goals for a species. The FWS and NMFS should emphasize species recovery in their administration of the ESA by timely preparation of science-based recovery plans and by acting promptly to delist a species when the recovery goals established in those plans are met. In focusing on recovery, plans should emphasize conservation of landscapes with multiple species as the most effective path for conserving individual species. Recovery planning should also ensure broad inclusion of multiple stakeholders, as allowed under the law, to help ensure the feasibility of recovery actions and enhance location specific knowledge.
- The FWS should routinely issue rules under section 4(d) of the Act tailored to the specific threats to and recovery opportunities for any species listed as threatened, with a special emphasis on the role of States and private landowners in the recovery of the species.

Federal lands and Waters

- More emphasis must be placed on ensuring that federal agencies meet their obligations under section 7(a)(1) of the Act to advance the objectives of the Act in how they manage the lands and waters under their jurisdiction and in how they administer the programs for which they are responsible.

Collaboration with states and private landowners

- States and private landowners must be more closely integrated into the management of both candidate and listed species to maximize conservation of populations and habitat.
- States should engage private landowners, on a voluntary, willing-landowner basis, in state conservation efforts, including those pursuant to an agreement with the FWS or NMFS under section 6 of the Act, by providing funding and technical expertise.
- The concerns of states, tribes, local governments, conservation groups, and private landowners should be reflected meaningfully in ESA decisions in harmony with the conservation requirements of the Act.

Regulatory incentives

- Regulatory and financial incentives from federal, state, and private sources should be made available to landowners at the scale necessary to recover listed species, avoid the need to list candidate species, and reduce litigation. Examples of these incentives include habitat exchanges, conservation banks, safe harbor agreements, and candidate conservation agreements with assurances. The FWS and NMFS should reduce regulatory obstacles for the users of these outcome-based and market-based tools, and State and federal agencies must budget for, and Congress and State legislatures must provide sufficient resources to allow those agencies to make those tools effective and widely available.

Information sharing

Local, State, and federal agencies involved in land use planning and the permitting of infrastructure and development activities should have ready and comprehensive access to the best available information concerning potential impacts of proposed infrastructure and development on listed and candidate species and their habitat, and the best locations and methods for mitigating those impacts, so that those agencies can administer their programs in ways that avoid conflicts and advance the objectives of the Act while facilitating needed development.

Contact Jeff Eisenberg, coalition director, or any of the members of the coalition should you have any questions about these principles. Jeff's email is jeffeisenberg@rockspringrs.com. His telephone number is 571-355-3073.

Signed,

Steering Committee: Arizona Cattle Growers Association, California Farm Bureau Federation, Environmental Defense Fund, Family Farm Alliance, Irrigation Association, The Nature Conservancy, Public Lands Council, Trout Unlimited, Wyoming Stock Growers Association

Members: California Agricultural Irrigation Association, Montana Stock Growers Association, Kennedy and Coe, LLC