

Congressional Endangered Species Act (ESA) Hearing Testimony Questionnaire

Honorable _____
US House of Representatives

Below are my concerns and testimony regarding the Endangered Species Act. Please take note of my responses to the statements and include them in the hearing record for the Resources Committee hearing set for Saturday, April 30th. Please consider a photocopy of this document as valid as the original.

I have signed my name below.

Dear Landowner, Rancher or Multiple-Use Advocate:

This is #2 of 2 Testimony Questionnaires. The House Resources Committee chaired by Rep. Richard Pombo (R-CA) has set a Congressional Hearing for Monday, June 6th in Clarkston, Washington. It is critical to get to get as many letters and testimony questionnaires in for the record as possible. **Please make sure you send yours by Monday, June 20.**

Congress is considering updating and modernizing the Endangered Species Act (ESA). To help Congress and the Resources Committee clearly understand how YOU feel about various parts of the ESA, you need to send back this Testimony Questionnaire.

The Endangered Species Act has failed to recover species at risk over the past 31 years. Only ten species have been recovered by the ESA according to our experts. That's less than one percent of 1300.

At the same time, the corresponding rules and regulations have, in many cases, strangled local economies, hurt ranchers, landowners and Federal land users causing severe repercussions that impact everything from school funding to jobs to economic development — **even hampering important environmental protections.**

You need to sign this document at the bottom and return it in the enclosed envelope. **Be sure to fill in the name of your Congressman.** The Testimony Questionnaire will be hand delivered to your Representative and to the Resources Committee at the hearing.

Please note that multiple-use and private property advocates AGREE with all the statements below but you do not have to. Please circle whether you AGREE, DISAGREE, OR HAVE NO OPINION on each statement. **Below the statements there is a place for you to write in any personal comments you may have. THIS IS VERY IMPORTANT.** You make the comment questionnaire far more valuable for Congress by writing your personal comments.

These are your comments. You may edit them in any way you see fit.

Please circle your answer – You may write additional comments by each question or in the comment section on the back. Your personal comments make this document more valuable.

1. Private Property: Require takings compensation when ESA regulations and listings diminish the value of private property.

AGREE
DISAGREE
NO OPINION
2. Federal agencies should be subject to a statutorily directed preference for using voluntary, un-coerced contracts with property owners for a temporary lease or agreement to manage land for the benefit of a listed species.

AGREE
DISAGREE
NO OPINION
3. Incentives: Replace the ESA's regulatory structure with non-regulatory, incentive-based conservation programs.

AGREE
DISAGREE
NO OPINION
4. Add an incentive-based conservation program like farmers now have with the Conservation Reserve Program to the ESA. Exempt landowners from regulation when enrolled in this program.

AGREE
DISAGREE
NO OPINION
5. Use Voluntary, Contractual, Compensated Habitat Management that would increase the quality of wildlife habitat while lessening the conservation disincentives contained in current law.

AGREE
DISAGREE
NO OPINION

6. Make Safe Harbor agreements user friendly and truly safe. A deal is a deal, the government should be bound by any agreement it makes with a landowner.
- AGREE DISAGREE NO OPINION**
7. The definition of “take” should be changed to require a direct and proximate connection between the action and the loss of a specific individual member of a listed species.
- AGREE DISAGREE NO OPINION**
8. Science: The definition of species should incorporate new scientific information on the genetic make-up of species. Require independent peer review of the science used in listing.
- AGREE DISAGREE NO OPINION**
9. The ESA should require Independent Scientific Review, what some have called “sound science.”
- AGREE DISAGREE NO OPINION**
10. Conservation of subspecies and distinct populations should be actively promoted but these categories should not be covered by the regulatory parts of the Act. Species that are beneficial or unique should be given priority.
- AGREE DISAGREE NO OPINION**
11. Economic Considerations: Base listing decisions on science, but subject any restrictions to consideration of economic and social factors. Require ECONOMIC IMPACT ANALYSES.
- AGREE DISAGREE NO OPINION**
12. A sunset provision should be added to ESA so the act expires after 5 years unless re-authorized. Require species to be re-listed or dropped from the list after 10 years.
- AGREE DISAGREE NO OPINION**
13. Requiring completion or amendment of recovery plans before designating critical habitat.
- AGREE DISAGREE NO OPINION**
14. Require that any listing or critical habitat designations be based on actual verified field data demonstrating the presence of the species and not based on scientific “hypothesis” that the species may one day be present.
- AGREE DISAGREE NO OPINION**
15. Amend the definition of critical habitat to require that FWS find the area itself is essential to the conservation of the species and requires special management measures based on actual verifiable field data and not simply because FWS has found that the species Primary Constituent Elements (PCEs) are present.
- AGREE DISAGREE NO OPINION**
16. Require FWS to utilize data developed by State, local and regional wildlife agencies in making Critical Habitat and listing decisions.
- AGREE DISAGREE NO OPINION**

(Your written comments here will make this document more valuable)

(If needed, use additional sheets or attach a personal letter)

To validate your comments please fill in completely (PRINT or TYPE) and be sure to sign.

Signature: _____ Name: _____

E-mail: _____ Phone: _____ Fax: _____

Address: _____ Town: _____ State: _____ Zip: _____

Please do not fail to send this comment questionnaire even if it is late.

Fax and Email Deadline Monday, June 20, 2005

2A

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AGREE

DISAGREE

NO OPINION

9. Require regionally even enforcement. Fairy shrimp-like crustaceans, for example, occur in eastern metropolitan areas and although they are more endangered than California fairy shrimp, the FWS refuses to list them.

AGREE

DISAGREE

NO OPINION

10. Federalism. The general primacy of state authority over wildlife should be recognized in ESA.

AGREE

DISAGREE

NO OPINION

11. Reimburse agencies for ESA costs from the FWS budget.

AGREE

DISAGREE

NO OPINION

12. Place restrictions on introduced, experimental populations.

AGREE

DISAGREE

NO OPINION

13. Expedite permits. Secretary must issue or deny within 90 days.

AGREE

DISAGREE

NO OPINION

14. Exemptions for human health and safety and permitted activities.

AGREE

DISAGREE

NO OPINION

15. Add transparency, openness and privacy protection provisions.

AGREE

DISAGREE

NO OPINION

16. Consider, analyze and test alternative recovery strategies.

AGREE

DISAGREE

NO OPINION

17. Include landowners in decision making.

AGREE

DISAGREE

NO OPINION

18. Have a no-net-loss of private property provision.

AGREE

DISAGREE

NO OPINION

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