



## The Western Agriculture and Conservation Coalition Position Platform on Species Conservation Policy

May 9, 2016

Chairman John Barrasso  
 Ranking Member Tom Carper  
 Senate Committee on Environment and Public Works  
 Washington, D.C. 20510

Dear Chairman Barrasso and Ranking Member Carper:

We, the undersigned members of the Western Agricultural and Conservation Coalition (WACC), believe in the purpose of the Endangered Species Act (ESA or Act) – to protect and recover threatened and endangered species. We also believe that efforts to conserve species can be both more effective and better facilitate economic growth and protect private property rights.

Our shared perspective on species conservation is rooted in our experience with practical, on-the-ground solutions that work well for ranchers, farmers, and other landowners, as well as for fish, wildlife and plants. Indeed, maintaining a mosaic of working farms and ranches along with lands managed for conservation purposes, represents the best opportunity for conserving the

ecosystems upon which species depend so that species do not decline to the point where a listing under the ESA is warranted, and so that currently listed species can recover.

Our experience has shown that species conservation is most effective and durable when conservation actions:

- Maintain the economic viability of farms, forestlands, and ranches;
- Are designed and implemented through collaborative, multi-stakeholder efforts;
- Focus on maintaining or restoring healthy populations; and
- Are adequately funded at both state and federal levels.

The undersigned support the following platform on species conservation without prescribing any preference as to the tools or mechanisms used to best achieve these goals.

### **Landscape Conservation**

Conservation is most effective when large landscapes are managed to promote healthy ecosystems at a scale relevant to the needs of species and in a manner that sustains the viability of working lands. Landscape conservation should balance ecosystem conservation with existing land management to identify the best opportunities for efficient and collaborative conservation. This reduces the resonance of inaccurate and unhelpful “species vs people” narratives and increases the opportunities for voluntary conservation. By looking to the needs and lifecycles of multiple species, landscape conservation of ecosystems focuses on actions at scales necessary to most efficiently and effectively promote species conservation – whether prior to or after listing.

Landscape-scale conservation of ecosystems touches upon all the issues arising in the administration of the ESA and in the topics laid out below.

- A clear delineation of local, state, federal, tribal or other responsibilities for administering conservation, including through partnerships, particularly for large, multi-jurisdictional projects, is necessary to produce successful outcomes. Landscape-scale initiatives should be focused to deliver habitat restoration and conservation measures necessary for maintaining or restoring healthy populations of target species.
- Identifying practices and incentives necessary to sustain working lands, as well as eliminating disincentives and barriers where appropriate.
- Landscape-scale initiatives should include tools to measure habitat condition so that recovery efforts are based on empirical information.
- Enhance trust among stakeholders by ensuring that ecosystem conservation promotes species conservation in a way that does not exacerbate conflict or litigation.
- To more effectively conserve species at scale, adequate funding is needed to allow effective implementation of federal and state conservation programs that can lead to recovery or avoid the need for listing.

### **Private Landowner Incentives**

Successful conservation often requires the involvement of many private landowners implementing important conservation actions. This presents challenges of engaging enough landowners to adopt practices before a listing is necessary and effectively coordinating and funding private, local, state, and federal efforts to support systematic management of large

landscapes. Below are some priority issues that arise to better engage private landowners in species conservation, particularly in the context of large landscape-scale initiatives:

- Regulatory and financial incentives from federal, state, and private sources should be made available to landowners at the scale necessary to actually conserve species. Examples include multi-state or “landscape scale” conservation plans, habitat exchanges, conservation banks, safe harbor agreements, and candidate conservation agreements with assurances. Regulatory obstacles must be reduced for the users of these outcome-based and market-based tools, and sufficient resources must be devoted to make them effective, repetitive, and widely available.
- Create incentive packages, such as those through the Farm Bill, sufficient to build upon landowner motivations to implement voluntary conservation for both listed and at-risk species and associated habitat. Use of such incentives must be truly voluntary to be successful. Utilize market-based tools to promote effective conservation and to satisfy mitigation requirements to offset impacts. When doing so, ensure the alignment of credits with the impacts allowed on species and habitat condition.

### **Species Recovery**

- Those administering the Act should emphasize efforts to recover species through all conservation programs; prioritize resources for the timely creation of recovery plans; and assure prompt delisting when a species meets its recovery goals.
- Those administering the Act should prioritize setting science-based recovery goals as near to the time of listing as possible. Recovery planning should be structured to be transparent and flexible enough to quickly modify goals and actions as new information becomes available. In the event of changes to recovery plans, agencies should not require changes to the terms of voluntary agreements already in place with landowners. Once the goals are met, the delisting process should be transparent and straight-forward.

### **Role of States**

Effective conservation of species requires engagement of as many segments of society as possible. States have direct authority and responsibility for the management and conservation of non-federally listed or managed species, and can serve a critical role in ensuring conservation once a species is listed. They are pivotal participants in species conservation, particularly with respect to non-federally listed or managed species requiring large landscapes, and they have critical resources and expertise to bring to bear to the task.

- State leadership in pre-listing conservation activities should increase, be better funded, and be recognized and integrated into federal pre-listing efforts.
- State input should be solicited, and States should engage proactively in listing, delisting, and recovery activities.
- States should be engaged in, and their input incorporated into, critical habitat designations.
- States and private landowners must be more closely integrated into management of species to maximize conservation of populations and habitat.

- States should engage private landowners, on a voluntary, willing-landowner basis, in state conservation efforts by providing funding and technical expertise.
- Federal agencies should engage with states in setting transparent, science-based goals (both for species and habitat condition and for regulatory certainty) designed to preclude the need for listing under the Act, and support states in establishing conservation plans and programs to achieve those goals, while monitoring results and practicing adaptive management.

### **Science and Transparency**

- When administering the Act, agencies must have the discretion to rely on the science and information they deem to be the best available.
- Whenever possible, such data and science should be made available to the public, particularly information used to support agency decisions.
- Agencies should improve transparency in communicating when contrary, probative science is rejected as a basis for a particular decision. Greater transparency will enhance public confidence in the soundness of agency decision making under the ESA.
- Agencies and landowners should be encouraged to take actions where there is a reasonable assurance that benefits will be meaningful and the risks are acceptable.

### **Critical Habitat**

- Those administering the Act should seek to clearly demonstrate the imperative for designating critical habitat when economic impacts are identified. Opportunities for designating critical habitat and identifying conservation actions on public land should be pursued in a way that minimizes the impact of listings on private landowners who depend on the land for their ranch livelihoods.

If you have any questions regarding this letter or WACC's activities, please feel free to contact Jeff Eisenberg, coalition director, or any of the members of the coalition. Jeff can be reached at [jeffeisenberg@rockspringrs.com](mailto:jeffeisenberg@rockspringrs.com) or 571.355.3073.

Sincerely,

Members of the Western Agriculture and Conservation Coalition

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, National Audubon Society, Oregon Water Resources Congress, Western Growers Association

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