

1 **NORTHWEST PUBLIC POWER ASSOCIATION**

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3 **32-08 ARCHIVED RESOLUTION - Proposed**

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5 **IN SUPPORT OF REAUTHORIZATION AND REFORM**
6 **OF THE ENDANGERED SPECIES ACT**
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8 The expired Endangered Species Act (ESA) must be reauthorized
9 and reformed by Congress. While the ESA has not been reauthorized, its
10 principles have been enforced since its expiration in 1992 by annual
11 appropriations legislation. The Northwest Public Power Association
12 (NWPPA) supports the Act's goal of preserving species that are
13 endangered or threatened by human activity.

14 NWPPA believes that future actions to reauthorize the ESA should
15 include provisions to allow greater public input regarding agency
16 decisions, achieve a proper balance in considering economic and
17 environmental factors, provide greater transparency in the costs to
18 consumers and establish a more streamlined process to recover
19 threatened and endangered species.

20 In order to attain these objectives, NWPPA recommends that the
21 reauthorizing legislation incorporate the following principles to enhance
22 the Act:
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- 24 • Listing and delisting of species should include prelisting measures,
25 peer review, and delisting criteria.
- 26 • In determining whether prelisting is necessary, the Secretary should
27 consider any voluntary programs and measures that have been
28 implemented by States, localities and private landowners.
- 29 • After a species is proposed to be listed, if a written request containing
30 an adequate basis for questioning the proposed listing is received by
31 the Secretary of the appropriate federal agency, the proposed listing
32 should be reviewed by a panel of independent and qualified scientists.
- 33 • Measurable objective criteria for delisting should be required to be
34 included in the recovery plan.
- 35 • The definition of "species" should be clarified to provide greater
36 certainty as to which populations should be considered as species
37 under the statute.
- 38 • Critical habitat should not be designated prior to the development of a
39 recovery plan, except when appropriate as a temporary emergency
40 designation. The Secretary should be required to measure and fully
41 consider the impacts, including the economic implications, of
42 designating and specifying a particular area or areas as critical
43 habitat.
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- 48 • Recovery plans should identify measures that benefit candidate
 - 49 species as well as listed species. Priority should be given to multi-
 - 50 species recovery plans.
 - 51 • The recovery plan should identify:
 - 52 (1) The actions necessary for recovery of the listed species;
 - 53 (2) The cost of recovery;
 - 54 (3) The probability of recovery if the recommended actions are
 - 55 taken;
 - 56 (4) The types of activities that will be subject to Section 7
 - 57 consultation as a result of the listing;
 - 58 (5) The consultation;
 - 59 (6) The potential economic impacts of listing or not listing;
 - 60 (7) The quantities of the same species found elsewhere; and
 - 61 (8) The degree that major natural conditions deplete the species.
 - 62 • An independent assessment and analysis of the economic impacts of
 - 63 any ESA action should be conducted.
 - 64 • With regard to consultations:
 - 65 (1) Section 7 consultations should be designed to ensure
 - 66 compliance with recovery plans;
 - 67 (2) Customers of federal agencies involved in consultations should
 - 68 be permitted to participate in federal consultation proceedings; and
 - 69 (3) The Secretary should be required to streamline and increase the
 - 70 efficiency of the consultation and decision making processes.
 - 71 • The Secretary of the appropriate federal agency should be required to
 - 72 prepare and publish a detailed decision document containing all data
 - 73 and scientific analysis, sociological and economic impacts concerning
 - 74 the designation of species, sub-species or critical habitat, or finding of
 - 75 jeopardy from a proposed project or action.
 - 76 • The ESA should provide for standing and intervention by citizens or
 - 77 organizations suffering economic injury as a result of a listing, a
 - 78 critical habitat designation or recovery plan adoption.

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80 In the 109th Congress, Key Members of Congress advanced

81 legislation to update and improve the ESA, incorporating many of the

82 recommendations listed above. NWPPA urges this Congress to swiftly

83 embrace legislation that focuses on species recovery, increases

84 participation by local governments and improves scientific standards.

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86 Origination Date: 1997

87 Revised: March 2005 – Proposed to Archive in 2008