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Comments: According to data made available since beginning of the Obama Administration, federal and state expenditures have continued to rise steadily, totaling \$6.2 billion between Fiscal Years 2009 and 2012. These costs do not include the soaring direct and indirect costs on local governments and the private sector. Another recent, egregious example is the FWS's handling of the endangered Desert Tortoise, some of which were housed in a \$1 million budgeted conservation center at the southern edge of Las Vegas Valley in Nevada. Though the tortoise has been ESA-listed since 1990, when available funds to operate the conservation reserve center decreased, the FWS began plans to actually kill hundreds of tortoises rather than finding other protection methods. "It's the lesser of two evils, but it's still evil," said the FWS program recovery coordinator. FWS has taken position that it is not required to act on delisting of a species unless and until an "interested party" petitions for action and then follows up with a lawsuit. Because most citizens do not desire or are not in a position to file petitions or lawsuits against the federal government, many species continue to be listed under ESA even when it may not be necessary. Two Utah counties and private landowners have been unable to control an influx of prairie dogs that have destroyed private lands because the FWS only counts prairie dogs found on public lands, not private lands, for recovery purposes. This interpretation has cost one rural electric cooperative over \$150,000 to airlift transmission poles around federal lands that have been designated for Utah prairie dogs, despite private landowners being able to obtain permits to kill them on nearby lands. Agencies are faced with a no-win situation; they are overwhelmed by environmental activists with hundreds of candidate listings that the agency cannot possibly respond to in the statutory timeline specified; they then find themselves in violation of that statute and subsequently sued by these same groups who filed to protect the species. These activists create the problem by purposely overwhelming the agency, knowing that they will be unable to respond and then dictate an outcome because the agency settles rather than being able to follow the appropriate process, including the study of scientific evidence. Listing a species without adequate scientific data, just to settle a lawsuit is capricious. The ESA has existed for 40 years, with less than 2% of species removed from ESA list in 40 years. Federal government could recover and delist three dozen species with the resources they spend responding to litigation. only 94 listed species out of the total 2,097 listed species are in the ocean, "a historic imbalance needs to be righted to "stem the extinction crisis in the world's oceans. ESA has not been updated by Congress in over a quarter century. Time to change, Concerns have been raised that ESA does not ensure that economic impacts are fairly quantified at time of listing, despite at least one circuit court of appeals mandate to this effect. . critical habitat designations have been "fish in the barrel litigation for folks. ESA are unable to make basic and legitimate data used for listings and critical habitat available to the public.ESA litigation has also increased federal government's inability to control catastrophic wildfires. four federal land management agencies (the U.S. Forest Service, Bureau of Land Management, National Park Service, and the FWS) are responsible for managing over 600 million acres of land or nearly one-third of the United States. Decades of failed federal forest management have created unhealthy and overstocked forests, placing 73 million acres of National Forest lands and 397 million acres of forest land nationwide at risk of severe wildfire. Fires are destroying species habitat and ESA itself is creating obstacles that are counter-productive to fighting wildfires, including use of heavily mechanized equipment, use of aerial retardant and restricted use of water due to concerns about potential impacts to other ESA-listed species, such as spruce goose, salmon and others. State and tribal lands adjoining federal forest lands are increasingly at risk of wildfires partly because of ESA. Forest Service's self-described "analysis paralysis," excessive appeals on timber sales, ESA-related litigation, statutory and administrative land designations (such as wilderness, roadless areas and critical habitat) all serve to delay or outright block management activities necessary to reduce hazardous fuels and improve forest health and habitat. Over the past fiscal years alone, 26 lawsuits, notices of lawsuits, and appeals were filed in the Idaho and Montana region of the U.S. Forest Service to block timber thinning and other vegetation management in areas at high risk of wildfire. ESA puts the needs of species over people when describing the impact it had on farmers and workers.