

NRECA Supports Effort To Modernize Endangered Species Act

Key Facts

- Electric cooperatives are committed to preserving our nation's diverse ecosystems, while providing safe, reliable, and affordable power to one in eight Americans.
- Implementation of the Endangered Species Act has become increasingly cumbersome, challenging and uncertain. Less than 3 percent of listed species have been recovered.
- NRECA supports congressional efforts to reauthorize, modernize and improve the ESA. Such efforts should protect wildlife and their ecosystems while providing flexibility and greater regulatory certainty for electric co-ops.

Electric Co-ops Seek to Make ESA More Efficient, Effective

When it was enacted in 1973, the bipartisan authors of the Endangered Species Act (ESA) envisioned a law to protect plant and animal species on the brink of extinction. At that time, 109 species were listed for protection. Today, there are more than 2,000 species designated as either threatened or endangered, with additional species considered as candidates for listing. Less than three percent of listed species have ever been deemed recovered and removed from the list.

Electric cooperatives are committed to preserving our nation's diverse ecosystems, while providing safe, reliable, and affordable power to 42 million Americans. To help keep the lights on, co-ops seek to make the ESA more efficient, effective, and less costly. Electric cooperatives support solutions that find the right balance between costs and environmental protections to ensure reliable and affordable electricity, which is vital to the economic health of the communities co-ops serve.

That balance is increasingly difficult to achieve as ESA implementation has become cumbersome, challenging, and uncertain. Once a species is listed, ESA compliance can seriously impact the ability of electric cooperatives to site and maintain power lines and other electric infrastructure. When a protected species or its habitat is adversely affected by an activity, such as building transmission lines, it is a "take" that requires an expensive and time-intensive incidental take permit, enrollment in a conservation plan, or in some cases, total avoidance of critical habitat. Therefore, ESA listings can adversely affect essential economic activities in parts of rural America. Complicating matters further, ESA has been among the most litigious environmental laws, which has translated to increase costs, delays and uncertainty.

While numerous species-specific legislative efforts have attempted to remedy challenges posed by individual species, such as the greater sage grouse or the lesser prairie chicken, Congress has not pursued broad reform of ESA in several years.

NRECA Position

NRECA supports congressional efforts to reauthorize, update and modernize the ESA. Specifically, NRECA supports legislative efforts that would:

- Protect imperiled wildlife and their ecosystems for generations to come
- Provide flexibility and greater regulatory certainty for electric co-ops
- Encourage voluntary conservation efforts to achieve Endangered Species Act goals
- Streamline the listing and delisting process to reduce the amount of sue and settle deadline lawsuits
- Require that data and science used by federal agencies for ESA listing decisions be made publicly available

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