



## **Property Rights Explored in Committee**

by **Brooke Byrd**

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DENVER, CO (Feb. 3, 2006) — Special guests Julie MacDonald, deputy assistant secretary for fish and wildlife and parks, U.S. Department of the Interior, and MaryAnn Dunlap, representing Senator Inhofe as a part of the Senate Environment and Public Works Committee, spoke about regulations and possible changes to the Endangered Species Act (ESA).

MacDonald noted government is under a severe backlog of ESA cases and trials — and it will take it a while to catch up. She discussed the idea of designating critical habitat and how actual evidence of habituation — not possibly habituation — must be shown for the designation to take effect. Critical habitat cannot be designated if there's only a chance the species will come in the future (for example, because of ongoing conservation projects).

Another example she gave is if critical habitat does not exist during certain parts of the year. For example, if a stream is designated as critical habitat, but that stream dries up during certain months, MacDonald said producers need to send a letter to the government to let ESA administrators know.

Dunlap spoke about changes to

the ESA Senator Inhofe is trying to pass. Good decisions must be based on sound science, she said, not deadlines. She also said that recovery plans for species should be dynamic so they can be changed as more science becomes available, or as the conclusions drawn from that science change. She noted that Inhofe is hoping to change the constant lawsuits, since they take away time and money from the government and don't help in the preservation of the species.

She hopes to “create a full menu of landowner incentives” to encourage landowners to work willingly with the government — and to reduce some of the burden on them.

“There should be direct payments to landowners,” she said. Regulatory certainty — so each party can know what's expected — is something she also stressed.

Finally, Dunlap said, private landowners shouldn't be forced to bear the burden if they don't have a part of the decision-making process.

Later, Property Rights and Environmental Committee staff members gave an update on certain programs, including the national Grazing Lands Conservation

Initiative (GLCI), the main conference of which will be taking place Dec. 10-13 in Saint Louis, Mo. Staff members offered tools for cattlemen to contact their representatives in Washington, D.C., especially those on the Energy and Commerce Committee. The

“Walk a Mile in My Boots” program, designed to decrease tensions between producers and government officials, was recently expanded to include the Natural Resources Conservation Service (NRCS) and local conservation districts.



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