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March 11, 2005

The Honorable Bill Owens
Governor of Colorado
136 State Capital
Denver, CO 80203-1792

The Honorable Dave Freudenthal
Governor of Wyoming
State Capital, Room 124
Cheyenne, WY 82002

Dear Governors Owens and Freudenthal:

We noted with interest your letter dated February 25, 2005, on behalf of the Western Governors' Association, transmitting to Senators Inhofe and Jeffords the recommendations of the WGA concerning the Endangered Species Act. We write in response to commend the WGA's efforts and to identify both some shared perspectives and some additional thoughts that may be helpful to you.

First, we are pleased to be able to say that we are in general agreement with the broadly stated objectives set forth in your letter, and would be pleased to discuss with your representatives some more specific ideas as to how best to achieve them. For example, we agree with the desirability of having clearly stated recovery goals for listed species as early as possible. The lack of resources with which to promptly develop (and implement) recovery plans is a longstanding problem, and one that potentially delays and undercuts recovery efforts. For many species, the fact of endangerment is readily apparent well before the knowledge of what to do about their endangerment is apparent. An example with which you are likely familiar is the whooping crane, whose critical endangerment was well established by the 1930s. Because its nesting grounds in Canada were undiscovered until the 1950s, however, both realistic recovery goals and comprehensive recovery strategies could not be developed until long after the bird's endangerment was recognized. That example and others like it suggest that it may often be appropriate to set interim recovery goals that can be adjusted as new learning sheds additional light on the natural history of the species and the feasibility of recovery measures.

We also are in general agreement with the goal of enhancing the role of state governments in recovering species. When the Endangered Species Act was passed in 1973, it held out the promise of significant federal financial assistance in Section 6 to assist the states in developing and implementing conservation programs that would further the Act's recovery goals. For virtually the entire history of the Act, that has been a promise unfulfilled. Federal financial

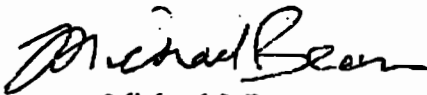
assistance has been both too limited and too unpredictable for many of the states to step up to the role that Congress originally envisioned for them.

Thirdly, we share the goal of ensuring that decisions under the Endangered Species Act be based on good quality science. We would be very pleased to explore with your representatives a number of ideas as to how to improve the scientific capacity of the U.S. Fish and Wildlife Service and NOAA-Fisheries. Improving those agencies' scientific capacities and insulating the decisions that are supposed to be based on science from political interference would go a long way to restore confidence in the decisions that the agencies make. We believe that is ultimately a much better approach than having Congress – with little or no scientific expertise of its own – tell the agencies how to do science.

Finally, we agree very strongly with the need for greater economic incentives for landowners to become partners in conservation efforts. For a great many species, recovery will absolutely depend upon active management measures to restore, enhance, or maintain habitats that occur, or can be made to occur, on private land. Our organizations have considerable experience in designing, testing, and applying incentive-based conservation strategies, and we would be pleased to explore them with you.

As your letter notes, there are many other ideas that you considered before identifying the four areas outlined above as the most critical. We very much agree that these four areas represent opportunities that offer considerable promise if thoughtfully and carefully examined. We would be pleased to explore these ideas further with you if you wish.

Sincerely,



Michael J. Bean
Chairman, Wildlife Program
Environmental Defense



Jamie Rappaport Clark
Executive Vice President
Defenders of Wildlife



Wm. Robert Irvin
Director, U.S. Ecoregional
Conservation
World Wildlife Fund

Cc: Senator Inhofe
Senator Jeffords
Senator Chafee
Senator Clinton
Senator Crapo
Representative Pombo
Representative Rahall