

**Opening Statement for Vice-Chairman Johnson
House Committee on Natural Resources
Subcommittee on Oversight and Investigations**

“ESA Consultation Impediments to Economic and Infrastructure Development”

March 28, 2017

Thank you, Mr. Chairman and thank you to our witnesses for being here today. On its face, Section 7 of the Endangered Species Act seems pretty straightforward - it provides clearly defined timelines the federal agencies tasked with implementing the ESA must follow in order to advance projects that have a federal nexus, which includes funding and permitting.

However, as you will hear today, Section 7’s real-world operation is anything but straightforward. Through Section 7 the Fish and Wildlife Service or the National Marine Fisheries Service can delay projects indefinitely, years in many cases, simply by continually requesting additional information before allowing the formal consultation process to proceed. In addition, outside interest groups, often fundamentally opposed to development, use the courts as an offensive weapon, routinely suing the implementing agencies in order to further frustrate project development and drain taxpayer money away from conservation efforts.

The Section 7 consultation process has cost companies millions of dollars, deprived local economies of countless jobs, held up projects that were undertaken to protect public safety or to further species conservation goals, and in some cases dissuaded companies from even proposing a project in the United States—sending jobs and production efforts overseas.

This is not how the Endangered Species Act was intended to function. The Act can and should be modernized, and it should be implemented with transparency. I am confident that these goals can be accomplished through the work of this Committee.

I am looking forward to hearing from our witnesses today and to hear their suggestions for improving the Section 7 consultation process. Thank you once again for holding this very important hearing, Mr. Chairman, and I yield back the balance of my time.