



NPCA Position on Legislation before the Subcommittee on Water, Wildlife and Fisheries

March 25, 2025

Dear Representative,

Since 1919, National Parks Conservation Association (NPCA) has been the leading voice of the American people in protecting and enhancing our National Park System. On behalf of our 1.6 million members and supporters nationwide, we write to share our thoughts on select legislation ahead of a hearing in the Committee on Natural Resources Subcommittee on Water, Wildlife and Fisheries scheduled for March 25, 2025.

H.R. 845 – Pet and Livestock Protection Act: NPCA **opposes** this legislation which would direct the U.S. Fish and Wildlife Service (USFWS) to remove endangered species protection for lower-48 gray wolves. Fewer than 1,000 gray wolves existed in the lower-48 by 1967 and were listed as endangered in 1974. Gray wolves are just beginning to naturally re-inhabit national park ecosystems around the country. For the first time in decades, gray wolves have been seen in or near NPS-managed lands in Colorado, the Pacific Northwest, and Northern California. With continued Endangered Species Act (ESA) protection, the gray wolf populations in these geographies will likely recover. H.R. 845 would threaten this recovery by applying a blanket delisting to gray wolf populations across the lower-48 states.

Removing endangered species protection for lower-48 gray wolves as a single segment would set back recovery efforts where appropriate available habitat exists in and around national parks. Since the National Park Service (NPS) successfully reintroduced wolves to Yellowstone in 1995, research shown the wolves have had a positive impact on the park's plants and wildlife. Federal and state agency wildlife professionals, land grant university researchers, and Tribal governments have come together to manage the opportunities and challenges of restoration. H.R. 845 would cut short an ongoing wildlife recovery success story and undercut the core principles of the ESA.

H.R. 1897 – ESA Amendments Act: NPCA **opposes** this legislation which would undermine the protection of some of the most vulnerable national park species. For 50 years, the Endangered Species Act (ESA) has been a critically important tool in the conservation and restoration of the over 600 threatened and endangered species that depend on habitats in national parks. Species like the California condor, the humpback whale, and the Santa Rosa Island fox have all benefited from the restoration and recovery framework and support the ESA provides. While NPCA has concerns about many sections of this bill, we've highlighted a few major concerns below:

Section 2 would add several problematic definitions to the ESA that would negatively impact park wildlife. For example, the definition of "foreseeable future" relies on the key terms "reasonably determine" and "probable." In defining foreseeable future in this way, the bill creates barriers to listing species that may be in need of ESA protections but for which we don't have detailed life cycle, habitat and threat information. In these cases especially, it is important for USFWS and National Oceanic and Atmospheric Administration (NOAA) to rely on the precautionary principle when making listing decisions.

Title I would likely politicize which species are prioritized for recovery, extending the timeline for listing species and fast-tracking delistings. These decisions should be made based on the best available science and removed from political input and analysis. Congress should instead focus on funding the existing science-based prioritization process, as well as the agencies' long underfunded recovery efforts.

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Title II allows for the destruction and killing of species without appropriate consideration by loosening “take” requirements. Under current law, take that is incidental to, but not the purpose of, an otherwise lawful activity may be permitted. However, it is still subject to review. This bill could increase incidental take permits without appropriate review or sideboards, eliminating a critical layer of environmental scrutiny for activities that could harm endangered species. This exemption may lead to poorly informed decisions that increase the risk of harm to listed species.

In *Title III*, Section 301 appears to create a sliding scale that decreases species protections as “recovery goals” are met for threatened species. It also allows states to submit strategies that are adopted as recovery plans. This cuts at the core of the ESA. States are critical partners in the development of recovery plans. However, allowing a single partner to submit their own plan will create confusion, potentially undercut the rigorous scientific standards of the ESA, and open the recovery process to political influence.

Section 303 removes the opportunity for citizens to challenge federal decisions in court. This gives the public no recourse if the agency decides to delist a species prematurely or takes insufficient measures to make sure it is managed properly in the five years after delisting. It eliminates the checks and balances between the executive and judicial branches.

Section 304 lifts blanket protections for threatened species by requiring species-specific 4(d) rules at the time of listing. NPCA agrees that making the effort to determine the needs of individual species is valuable. However, that should not prevent the agencies from proceeding with a listing determination and providing a species with the necessary protections from take. The development of individual rules for each threatened species would place a significant administrative burden on the agencies, potentially delaying conservation measures.

Title IV undercuts the use of best available science by requiring the use of state, Tribal, and local information in decision making. While these entities are all important stakeholders in the ESA process, they are not the only stakeholders and, in some cases, may not be the primary stakeholder. As a result, Congress is downplaying and minimizing the role best available science, regardless of source, should have in the ESA process.

The cumulative impact of multiple titles would be unneeded bureaucratic process and paperwork for the already staff- and resource-depleted agencies working to implement that ESA. The dedicated professionals at USFWS, NPS, NOAA, and other federal agencies tasked with implementing the Endangered Species Act are currently under attack from unprecedented staff and funding cuts. H.R. 845 and H.R. 1897 will undermine, not enhance, the protection of our national parks and the wildlife that call them home.

Thank you for considering our views.

Sincerely,

Christina Hazard
Legislative Director
National Parks Conservation Association

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