



**Written Comment for the Record  
On Behalf of the National Association of Counties**

**In Support of “Endangered Species Act Amendments Act of 2025”**

**Committee on Natural Resources, Subcommittee on Water, Wildlife and  
Fisheries**

**U.S. House of Representatives**

**March 25, 2025  
Washington, D.C.**

Dear Chair Hageman, Ranking Member Hoyle and members of the subcommittee,

On behalf of the National Association of Counties (NACo), the only national organization representing all of America's 3,069 county governments, we appreciate the opportunity to submit comments for the record in support of the Endangered Species Act Amendments Act of 2025. This legislation includes practical updates to the Endangered Species Act of 1973 (ESA) that align with county priorities and strengthen collaboration among federal, state, tribal and local governments.

## ABOUT AMERICA'S COUNTIES

Counties are foundational to the American system of government. We deliver essential services such as infrastructure development and maintenance, emergency response, environmental stewardship, land use planning and economic development. These responsibilities make counties key partners in species conservation and recovery efforts. As frontline implementers of federal policy, we bring place-based knowledge and experience to the table.

## SUPPORTING A BALANCED APPROACH TO SPECIES CONSERVATION

The Endangered Species Act Amendments Act of 2025, introduced by Chairman Bruce Westerman, includes several important reforms that we strongly support:

- **Recognition of local data and expertise.** The bill updates the definition of "best scientific and commercial data available" to include information submitted by county, state and tribal governments. This ensures that decisions reflect data from those closest to the ground.
- **State and local leadership in recovery strategies.** The bill allows states to propose recovery strategies for candidate or listed species. These locally tailored plans may serve as the regulatory framework for species management in that state, aligning conservation goals with regional realities.
- **Regulatory certainty for private landowners.** The bill incorporates language adapted from the Sikes Act to provide assurance that critical habitat will not be designated on private land where species conservation efforts are underway. This promotes voluntary stewardship while reducing regulatory conflict.
- **Public analysis of impacts.** The bill requires agencies to assess and publish the economic and national security implications of species listings and critical habitat designations. This transparency supports informed decision-making and public accountability.
- **Litigation reforms.** By placing a cap on attorney fees in successful litigation, the bill aligns the ESA with other federal statutes and limits incentives for unnecessary or excessive legal action.



- **Clarifying agency authority.** The bill confirms that agencies cannot issue regulations based solely on the potential impact to a species, reinforcing balanced, science-based rulemaking.

## **NACo POLICY POSITION ON THE ENDANGERED SPECIES ACT**

NACo supports the goal of the ESA to conserve endangered and threatened species and the ecosystems on which they depend. However, the ESA must be implemented in a way that enhances—not limits—the ability of counties to serve as conservation partners while fulfilling core public service responsibilities.

NACo supports legislative and administrative improvements that ensure the role of county governments is clearly defined and respected in the listing, recovery and delisting processes. Local governments require timely, substantive notice of proposed listings and habitat designations and must have meaningful opportunities to participate in the development of recovery plans, conservation agreements and related regulatory actions. ESA implementation must also promote transparency in data use and ensure that local economic and social impacts are fully considered.

## **PROMOTING PRACTICAL AND EFFECTIVE CONSERVATION**

As a member of the National Endangered Species Act Reform Coalition (NESARC), NACo supports efforts to modernize and improve the ESA based on five decades of implementation experience. The law has not been reauthorized in more than 30 years, and while more than 1,650 species are currently listed, only 3 percent have achieved recovery.

The Endangered Species Act Amendments Act of 2025 introduces reforms that focus on recovery, offer incentives for proactive conservation and streamline permitting processes. It establishes statutory clarity, improves accountability for agency actions and adds safeguards to reduce unnecessary litigation. These changes will encourage collaboration among states, local governments, landowners and stakeholders to advance species conservation while supporting responsible land, water and resource management.

## **COUNTY IMPACTS AND OPPORTUNITIES**

The bill addresses key county concerns by strengthening the role of local governments in the ESA process and promoting workable, transparent and inclusive decision-making. Counties will be better positioned to contribute to conservation strategies, ensure community-specific impacts are evaluated and collaborate effectively with state and federal partners. These improvements reinforce the role of counties as critical stewards of public lands, natural resources and community infrastructure.

**LOOKING AHEAD**

We appreciate the subcommittee's leadership in advancing this important legislation. NACo supports the Endangered Species Act Amendments Act of 2025 and will continue working with Congress and our coalition partners in NESARC to ensure common-sense ESA reforms that reflect local perspectives.

Thank you for your consideration. We welcome continued opportunities to provide the county perspective on this topic. Please direct any follow-up questions to Zeke Lee, NACo's legislative director for public lands, at [zlee@naco.org](mailto:zlee@naco.org).

Sincerely,

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CEO and Executive Director

