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July 26, 2018

The Honorable John Barrasso  
Chairman, Senate Environment and Public Works Committee  
410 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Barrasso,

On behalf of the Associated General Contractors of America (AGC) and its more than 27,000 construction contractor firms, suppliers and service providers across the nation, I am writing to express our support of the Endangered Species Act (ESA) Amendments Act of 2018. Thank you for providing an opportunity to offer feedback on the discussion draft, which is a step in the right direction towards modernizing the ESA.

It is time for Congress to take a fresh look at the Act and craft a new approach that helps to recover threatened and endangered species without compromising our common goal of meeting the nation's infrastructure needs. Although the 45-year old Act has been criticized for its ineffectiveness in recovering the species it is intended to aide, it has only been amended once: thirty years ago. The ESA has been, however, an effective tool to delay and halt major federal infrastructure projects and shape even local land use decisions.

The reforms in the ESA Amendments Act of 2018 could bring more regulatory certainty and clarity to the permitting process for infrastructure projects; and its measured approach to that reform and focus on recovery planning and stakeholder involvement should lend itself to bipartisan support.

In particular, AGC is supportive of the draft provisions that would improve the integrity and transparency of the scientific and commercial data and information used in the listing process, permit the prioritization of resources, promote recovery and delisting, and incentivize engagement in voluntary conservation efforts. AGC also is encouraged that the draft seeks to benchmark the administrative and litigation expenses associated with the Act.

Again, thank you for this opportunity. We look forward to working with the committee to modernize the ESA.

Sincerely,

Jimmy Christianson  
Vice President, Government Relations  
The Associated General Contractors of America