

HR 1837

To amend the Endangered Species Act of 1973 to establish limitations on the designation of critical habitat, and for other purposes.

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Public Lands and Natural Resources

Introduced: Apr 26, 2005

Current Status: Executive Comment Requested from Interior.

Latest Action: Executive Comment Requested from Interior. (May 3, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/1837>

Sponsor

Name: Rep. Flake, Jeff [R-AZ-6]

Party: Republican • **State:** AZ • **Chamber:** Senate

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Franks, Trent [R-AZ-2]	R · AZ		Apr 26, 2005
Rep. Hayworth, J. D. [R-AZ-5]	R · AZ		Apr 26, 2005
Rep. Renzi, Rick [R-AZ-1]	R · AZ		Apr 26, 2005
Rep. Shadegg, John B. [R-AZ-3]	R · AZ		Apr 26, 2005
Rep. Kolbe, Jim [R-AZ-8]	R · AZ		Jul 18, 2005

Committee Activity

Committee	Chamber	Activity	Date
Natural Resources Committee	House	Referred To	Apr 26, 2005

Subjects & Policy Tags

Policy Area:

Public Lands and Natural Resources

Related Bills

No related bills are listed.

Amends the Endangered Species Act of 1973 (ESA) to prohibit the Secretary (the Secretary of the Interior or the Secretary of Commerce) from designating as critical habitat any habitat located within the high water mark of a water storage reservoir, water diversion structure, canal, or other artificial water delivery facility if such habitat is periodically created and destroyed as the result of water level fluctuations caused by operation of such facility.

Requires the Secretary, in determining whether a Federal agency action is likely to result in the destruction or adverse modification of critical habitat, to consider the offsetting effects of habitat conservation measures proposed to be implemented as part of the action including the protection and management of certain alternative habitat.

States that the requirement to minimize and mitigate the impact of an incidental taking shall be deemed satisfied if the Secretary finds that proposed minimization and mitigation measures are rationally related to the level of take under the conservation plan.

Exempts operators of water storage reservoirs, water diversion structures, canals, or other artificial water delivery facilities from liability under ESA for any take of specified aquatic species that results from predation, competition, or other adverse effects attributable to non-native aquatic species introduced by another person into the river basin where the facility is located.

Actions Timeline

- **May 3, 2005:** Executive Comment Requested from Interior.
- **Apr 26, 2005:** Introduced in House
- **Apr 26, 2005:** Introduced in House
- **Apr 26, 2005:** Referred to the House Committee on Resources.