

S 1731

Endangered Species Management Self-Determination Act

Congress: 113 (2013–2015, Ended)

Chamber: Senate

Policy Area: Environmental Protection

Introduced: Nov 19, 2013

Current Status: Read twice and referred to the Committee on Environment and Public Works.

Latest Action: Read twice and referred to the Committee on Environment and Public Works. (Nov 19, 2013)

Official Text: <https://www.congress.gov/bill/113th-congress/senate-bill/1731>

Sponsor

Name: Sen. Paul, Rand [R-KY]

Party: Republican • State: KY • Chamber: Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Heller, Dean [R-NV]	R · NV		Nov 19, 2013
Sen. Lee, Mike [R-UT]	R · UT		Nov 19, 2013

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Referred To	Nov 19, 2013

Subjects & Policy Tags

Policy Area:

Environmental Protection

Related Bills

Bill	Relationship	Last Action
113 HR 3533	Identical bill	Nov 19, 2013: Referred to the House Committee on Natural Resources.

Endangered Species Management Self-Determination Act - Amends the Endangered Species Act of 1973 (ESA) to require the consent of the governor of a state in which a species is present for: (1) a determination of endangered or threatened species status by regulation, and (2) listing of the species as endangered or threatened by the Secretary of the Interior upon a determination by the Secretary of Commerce.

Eliminates a rulemaking procedure involving the petitioning by an interested person for adding a species to, or removing a species from, the lists of endangered and threatened species.

Defines "best scientific and commercial data," for purposes of determinations, to include any scientific evidence made available by any state agency.

Subjects determinations by the Secretaries of the Interior and of Commerce to list species as endangered or threatened to congressional approval by joint resolution.

Requires removal of each species listed on an approved list five years after the joint resolution is enacted. Provides a procedure for re-submission by the Secretary of the Interior, in consultation with the governor of each state in which the endangered or threatened species is present, of a list including a species so removed and subjects that list to approval by joint resolution.

Eliminates the requirement for guidelines concerning petitions.

Establishes a process for exclusive state regulation of endangered or threatened species determined by a state governor to be present only within that state. Precludes judicial review of any such action. Subjects the following to the process of intrastate regulation: (1) issuance of species conservation regulations, (2) recovery plan implementation, (3) species recovery monitoring, and (4) establishment of agency guidelines.

Requires the Administrators of the Bonneville, Southeastern, Southwestern, and Western Area Power Administrations, except with respect to intrastate species regulation, to include in customer monthly billing statements information on the share of costs to the customer incurred as a result of ESA compliance.

Allows an owner or lessee of any real property to submit to the Secretary of the Interior an application that includes any proposed use of the real property for a determination of whether the use will violate ESA. Deems the use to be compliant if the Secretary fails to respond within 90 days. Allows the owner or lessee to seek compensation (150% of the property's fair market value) if the use is determined to violate ESA and an action of the U.S. Fish and Wildlife Service diminishes the fair market value of any real property by at least 50% with respect to the intended use.

Eliminates the award of attorney fees in citizen suits under ESA.

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## **Actions Timeline**

- **Nov 19, 2013:** Introduced in Senate
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