

California Endangered Species Act (CESA) Reform
Improving Species Recovery Through Habitat

BACKGROUND

The California Endangered Species Act (CESA), like the Federal ESA, was adopted to ensure the conservation of all species of plants and animals. The intent of this legislation is to limit or mitigate human activities which might impact other species. This is done by acquisition of conservation areas, imposition of fees, restrictions on land use activities, and various mitigation methods.

Enacted in 1984 to extend legal protection to wildlife within California, CESA contains permitting processes for listing species and taking listed species, and also provides for consultation guidelines.

Continued growth and economic activity will place increased pressure on the conflicts between human activity and species protected under CESA. The building industry must support aggressive and comprehensive measures to balance habitat protection with economic and social needs. This will ensure that both our economy and environment will be rich, diverse and healthy. There needs to be a balance of environmental resource preservation objectives with human and economic needs.

Implementation of CESA has caused local economic and political burdens and inequities without attaining its stated goals. Public facilities, housing, employment opportunities and capital have been lost in attempts to meet the mandates of this law.

CESA mandates local compliance without providing adequate funding to local governments. The endless number of subspecies which can be listed is so vast that ultimate implementation of CESA can never be attained.

CBPA POSITION

In order to ensure the continued health of both our environment and our economy, CESA must be redirected toward a more balanced, well-planned and adequately funded approach.

CBPA believes the infringement of private property rights and the high costs of compliance threaten our economy. Economic impacts should be considered in the conservation planning process.

CBPA supports amending CESA to establish clear state policy on the purpose and level of species/habitat protection desired.

CBPA supports amending CESA to recognize the validity of regional multiple species habitat conservation plans as a means of providing biodiversity and species protection, and to focus on regional habitat based solutions rather than local single species efforts.

CBPA supports amending CESA and agency policies to require (1) expanded scientific and biological justification; (2) adequate public notification; and (3) response to public comments.

The procedure and criteria for listing endangered species needs to be corrected to require more diligent scientific/biological data. These procedures should require full public disclosure and notification.

Amend CESA to require consideration of economic and private property concerns in the conservation planning process.

CBPA supports committing adequate amounts of state funding to habitat acquisition and planning costs, so that the financial burdens of implementing CESA are fair to local governments. If these funds are not provided, the level of CESA-mandated mitigation must be scaled back proportionately.

CBPA opposes efforts to use the Endangered Species Act and to limit water diversion from the Delta or inhibit construction of other water supply facilities.