

IADC Briefing Book Endangered Species



In 1973, the U.S. Congress passed the Endangered Species Act (ESA) to protect the nation's native plants and animals from harm. The Act is administered by the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS). Under the ESA, species may be listed as either threatened or endangered, with regulations drafted to protect the habitat of an imperiled species. Particularly regarding areas of the U.S. where oil and gas drilling operations are abundant, protection of species can be a serious obstacle to oil and gas operations. [1]

Key Messages

- IADC members take seriously their responsibility for operations that respect the environment, which includes species listed as threatened or endangered by the ESA. Oil and gas industry personnel often times live in the same environment where they work, and therefore have a vested interest in keeping the environment protected for future generations.
- In many instances, the ESA imposes rules on an identified species when state and local regulations already have existing provisions to protect the species. Industry has argued that rather than imposing one-size-fits-all species listings that harm communities and obstruct on-the-ground conservation, FWS should enable state and local protection plans, voluntary conservation agreements, and common-sense management policies. [2]
- Restrictive regulation that also duplicates or complicates state and local regulations have the unintended consequence of negatively impacting energy development, and thus jobs and the economy.
- Drilling contractors support species protection, and in fact, have operation plans in place to comply with ESA regulations.
- In 2015, the FWS and NMFS issued a proposed rule concerning petitions to list a species as threatened or endangered. U.S. industries had previously argued that petitions, which anyone could submit and potentially list an innumerable amount of species, were backlogging the FWS and NMFS. The proposed rule aims to improve the content and specificity of petitions and enhance the efficiency and effectiveness of the petition process to support species conservation. [3]

Resources

1. Endangered Species Act: <https://www.fws.gov/endangered/laws-policies/>
2. Western Energy Alliance: <https://www.westernenergyalliance.org/knowledge-center/wildlife/endangered-species-act-esa>
3. U.S. Fish and Wildlife proposed rule: <https://www.fws.gov/home/feature/2015/proposed-revised-petition-regulations.pdf>