



June 14, 2017

The Honorable Ryan Zinke
Secretary
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Mr. Secretary,

The National Association of Conservation Districts (NACD) respectfully writes to the Department of the Interior (DOI) as you and your staff conduct a review of DOI agency actions.

On March 28, 2017, President Trump issued an executive order entitled "Promoting Energy Independence and Economic Growth," which revoked a series of presidential memoranda including the "Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investments" memo issued on November 3, 2015. The order additionally instructed agency heads to identify existing agency actions that occurred because of the now rescinded executive orders.

Following the order, your office issued Secretarial Order 3349 which formally began the review process of previous DOI action. The review has already resulted in withdrawal of a previous secretarial order that called for the development of a department-wide mitigation strategy that would rely on a landscape-scale approach to identifying and facilitating investments in priority conservation areas.

As the June 27 deadline for revised or substituted actions under review approaches, NACD kindly recommends withdrawing the following mitigation policies developed because of the revoked 2015 presidential memorandum:

Final Revisions to the US Fish and Wildlife Service's Mitigation Policy, 81 FR 83440 (November 21, 2016)

- The policy reversed the previous exclusion of species under the Endangered Species Act (ESA), including a goal of net conservation gain or no net loss and a landscape approach that exceeds ESA statutory authority.
- NACD participated in the public comment period of the draft policy and can be found [here](#).

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Final ESA Compensatory Mitigation Policy, 81 FR 95316 (December 27, 2016)

- The policy includes a net gain/no net loss standard for compensatory mitigation and preference for landscape-level conservation, which are inconsistent with the ESA.
- NACD participated in the public comment period of the draft policy and can be found [here](#).

NACD thanks you and your staff for your time and will stand ready to assist DOI as it continues to review previous departmental actions.

Sincerely,

A handwritten signature in black ink that reads "Brent Van Dyke".

Brent Van Dyke
NACD President