



Outdoor News Bulletin

Leveraging the Full Federal Authority: A Strategy for Enhanced State Conservation Programs

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The Endangered Species Act (ESA) of 1973 is one of the most powerful environmental laws in the United States, designed to conserve biodiversity by protecting the ecosystems that endangered and threatened species rely on. Within this legislative framework, Section 6 holds significant potential to empower states with the tools and authority to manage conservation programs more effectively. To truly realize this potential, we must look beyond the ESA itself and leverage the array of federal authorities available through the U.S. Fish and Wildlife Service (FWS). This opportunity could transform conservation into a collaborative federal-state endeavor that achieves meaningful and lasting results.

Section 6 of the ESA is an underutilized gem. Its design promotes cooperation between federal and state governments, providing an expectation and a clear pathway for states to take a leading role in species conservation. A [recent discussion](#) at Texas A&M University in Austin highlighted the urgency of strengthening state involvement in conserving at-risk, threatened, and endangered species. This dialogue underscored not only the potential of Section 6 but also the necessity of activating it as a cornerstone of modern conservation efforts.

The ESA was built on the understanding that conserving America's diverse landscapes requires more than federal oversight—it demands the full implementation of federalism, where states and the federal government collaborate through shared goals, funding, and policy implementation. Section 6 envisions a partnership where states, armed with local knowledge and resources, play a pivotal role in species management. This is not about delegation alone; it is about shared responsibility and leveraging each other's strengths.



States bring unique assets to the table. Because they have close ties to local communities and a firsthand understanding of ecosystems, states can cultivate public support and implement conservation measures suited to local conditions. They can address ecological challenges with a level of nuance and responsiveness that broad federal programs often struggle to achieve. However, this potential can only be unlocked when states have the legal frameworks, capacity, and resources needed to lead conservation programs effectively. This may require enacting new laws or changing existing ones, training personnel, securing funding, and engaging the public meaningfully.

Federal support is crucial in this process. The FWS must provide training, funding, and legal guidance to states, enabling them to take on these expanded roles confidently. Picture a state leading the conservation efforts for listed and at-risk species, tailoring habitat protection strategies to local conditions, collaborating with industry, private landowners, and tribal stakeholders on sustainable practices, and involving communities in recovery projects. This vision is not speculative—many people are already putting it into practice.

Florida's efforts to conserve the Florida Panther exemplify this approach. Through cooperative agreements, habitat restoration, and landowner incentives, the state advanced the recovery of this iconic species, which has now expanded north, beyond its core habitat in South Florida. Similarly, efforts to conserve the [Gopher Tortoise in the Southeast](#) show the power of strong state leadership to conserve and prevent the need for [ESA protections](#).

Other success stories further illustrate the effectiveness of state-led conservation, supported by federal frameworks. Louisiana's leadership in restoring bottomland hardwood forests, supported by federal programs like the Wetlands Reserve Program, drove the recovery of the [Louisiana Black Bear](#). The [American Alligator](#), once endangered, rebounded because of science-based management programs in states like Louisiana, Florida, and Texas. The [Kirtland's Warbler](#), saved by Michigan's commitment to maintaining healthy jack pine forests, and the [Brown Pelican](#), delisted after Gulf Coast states restored critical habitats, showcase the transformative impact of state-federal collaboration.



These examples show that state-led initiatives, backed by federal support, can achieve extraordinary conservation outcomes. Yet, there is room for growth. States can expand their authority under Section 6 to share regulatory responsibilities with the FWS, avoiding duplicative regulatory processes and aligning local programs with national conservation objectives.

This vision is not without challenges. Ensuring that state regulations meet the ESA's standards is critical to maintaining consistency and avoiding compromises that favor short-term economic gain over long-term conservation. Federal oversight processes, like those established for federal assistance programs, can ensure accountability while allowing states the flexibility to innovate. Florida's cooperative agreement with the FWS, though not fully implemented, serves as a model, demonstrating the need for continued effort and commitment.

We must also address disparities in state capacity and resources. Wealthier states or those with a strong conservation focus may excel, while others struggle. Innovative funding mechanisms like the proposed [Recovering America's Wildlife Act \(RAWA\)](#) could bridge this gap, providing equitable support for conservation across the nation.

The opportunities for collaboration extend beyond Section 6. The ESA ([Sections 2 and 7](#)) requires all federal agencies to use their authorities to further the conservation of listed species and the ecosystems upon which they depend. States and federal agencies can be very innovative in using these authorities to support their conservation programs. For example, the National Wildlife Refuge System and the [Partners for Fish and Wildlife Program](#) authorities offer additional avenues for states to partner with federal agencies. The [Wildlife and Sport Fish Restoration](#) authorities can and have been used to conserve all kinds of habitats to benefit not only game species but many at-risk and listed species. By joining forces with Section 6, these federal tools can form a robust system for conservation, helping both animals and humans.

By fully using the powers described in Section 6, we honor the purpose of the ESA, as we amplify efficient conservation efforts across the nation. By empowering states, we are not diminishing federal protections but enhancing them through localized expertise, resource leverage, and action. This vision calls for a fundamental shift in mindset in both federal and state agency cultures—one where conservation is a shared, dynamic process that integrates federal support and oversight with state leadership and



execution.

The conservation of biodiversity in the U.S. stands at a crossroads. By fully activating the potential of Section 6 and the broader suite of federal authorities, we can create a more effective, inclusive, and dynamic conservation model. This is not just about saving species—it is about conserving entire ecosystems, fostering community stewardship, and safeguarding our natural heritage. The time to act is now, ensuring that the legacy of the ESA thrives for generations to come.

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