

## OUR OPINION

### Exposed to extinction

Proposed changes in the Endangered Species Act favor landowners at the expense of vulnerable creatures

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Hundreds of native plant and animal species, from the lordly bald eagle to lowly darters, could disappear from the American landscape unless their habitats continue to be protected from the two-legged predator stalking the wilds of Capitol Hill.

A slim majority in the House of Representatives recently approved a harmful rewrite of the Endangered Species Act, a 32-year-old law that requires the U.S. Fish and Wildlife Service and other federal agencies to conserve endangered and threatened species and the ecosystems that sustain them.

There is certainly room to improve portions of the act, which even some of its ardent supporters have criticized as too cumbersome. However, armed with an excuse to tinker with one of the nation's keystone environmental laws, opponents of endangered species protection are trying to render it virtually useless.

In keeping with a distressing national disdain for science, the House bill removes most decision-making power about species protection from biologists and other specialists and places it in the hands of political appointees.

The most foolhardy and costly change to the law would allow landowners to get compensation from the federal government by claiming their development rights were somehow trampled by the demands of species protection. This is a rare occurrence, since most contested ESA cases involve federally owned lands, and few of those projects have been canceled as a result.

But the bill's blank-check provision would invariably invite unscrupulous private landowners to allege damages on expensive projects that they have no intention of building. Lowball estimates for paying off such claimants are about \$20 million a year, although the actual figure could be considerably higher. The intent is to make the law so expensive as to be unenforceable.

The House bill is the latest in a series of shortsighted and dangerous assaults on landmark environmental regulations, many passed by Republican lawmakers during the Nixon administration.

Since ESA was adopted, nine species have gone extinct; 172 others probably wouldn't have survived without the law. That fortunate group includes, most recently, the red-cockaded woodpecker, and more notably, the bald eagle, our national symbol.

Roughly 1,300 species, 54 of them in Georgia, are officially listed as threatened or endangered. It's difficult to tell if other types of flora and fauna are also headed for trouble since the Bush administration has rarely listed any new species or habitats for federal protection without a court order.

The last, best hope to save the Endangered Species Act and the creatures that rely upon it now rests with the Senate, which is expected to take up the House measure early next year. It must save the law from being gutted for the sake of nature's most vulnerable creations, as well as our own and our children.