

Thursday, October 6, 2005

Endangered Protections

Editorial

It's possible that the Endangered Species Act could use a little tweaking to make it stronger and more effective. But no one should be fooled into thinking that is what Rep. Richard Pombo had in mind when he pushed a bill to overhaul that landmark of environmental protection through the U.S. House of Representatives last week.

Pombo and his allies want nothing less than to gut the Endangered Species Act. To her discredit, Rep. Virginia Foxx of North Carolina's 5th District voted with him. The Senate should reject this bill and make sure that any attempt to revise the act does not lead to its destruction.

Pombo, a Republican from California, has built a career on criticizing the Endangered Species Act. To hear him tell it, the act's primary effect has been to block countless individuals from selling or developing their land because of a perceived threat to some obscure worm or bug. In reality, the direct effect more often is on publicly owned lands. The effect on private landowners comes through the permitting process, as, for example, when someone applies for permission to drain a wetland.

It is true that, sometimes, landowners are thwarted by the act. But it is also true that owning property does not give anyone the unlimited right to take harmful actions, such as polluting a stream or spewing poisons into the air. Underlying the Endangered Species Act is the recognition that the natural world is interrelated. It's not so much that one fish or fern is of extreme importance, but that everything working together is what achieves a healthy balance - healthy for humans, too. Some species go extinct naturally, but human activity has dangerously accelerated the process.

A favorite argument of those who would weaken the act is that it hasn't been effective; they say that only a little more than 1 percent of more than 1,268 species have recovered to the point of being taken off the endangered list. That is misleading. The act has been in existence only for 32 years. Species that are endangered are in dire straits, unlikely to quickly recover to the point that they don't need protection. A better way to assess the act's contributions is to ask what might have happened without it; it has at least helped to keep almost all the listed species from going extinct. Among its big successes are the grizzly bear and the bald eagle.

The law could probably be made more effective. But here's some of what the bill the House passed would do: Make it more difficult to put a species on the endangered list. Eliminate the government's power to designate critical habitat to help species recover - as if you can protect a species without protecting where it lives. Give political appointees more say than scientists in preservation decisions. Allow development to take place if stretched-thin government agencies don't give a landowner a response about a proposal within 180 days. Have the government pay property owners for complying with the law if it interferes with their development hopes. Remove restrictions on pesticides.

Do those "improvements" sound like the way to make the Endangered Species Act stronger? Surely the Senate knows better.