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Governors may push to alter U.S. law Endangered Species Act is targeted

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Emboldened by their strong showing at the polls, conservatives are mounting an effort to change a federal law that has annoyed them for more than 30 years: the Endangered Species Act.

Key players in the coming congressional battle will gather in San Diego today for a two-day conference sponsored by the Western Governors' Association to rehearse their rhetoric, assess one another's weaknesses and recruit allies.

The association includes 18 governors - 12 Republicans and six Democrats.

The big game trophy either side would love to hang on their wall, Gov. Arnold Schwarzenegger, will make an appearance. The governor, who has yet to state his position on the landmark federal law enacted in 1973, isn't ready to bestow his formidable endorsement either way.

Schwarzenegger, who received favorable reviews from environmentalists during his first year in office, will be sitting firmly on the sidelines.

"As Endangered Species Act legislation makes its way through Congress next year, the governor will be tracking it closely to make sure California's interests are represented," said Ashley Snee, a spokeswoman for the governor's office.

Hustling the hallways at the governors' summit the hardest will be Rep. Richard Pombo, Republican chairman of the House Resources Committee from California's Central Valley.

Pombo, a staunch advocate of private property rights, has signaled his intent to lead the conservative charge up Capitol Hill to rewrite the Endangered Species Act.

The National Endangered Species Act Reform Coalition, which is bankrolled by such sponsors as the American Farm Bureau and National Association of Home Builders, is helping Pombo conduct a "bottom-up" campaign to recruit support from state and local government leaders.

Pombo spokesman Brian Kennedy denied that his boss is on a mission to weaken protections for endangered species.

"No one harbors ill will toward endangered species, especially this chairman," Kennedy said.

But he added: "If we don't bring new law to the forefront that is more collaborative and cooperative with private property owners, we are not going to see more recovery of endangered species. The application of the Endangered Species Act over the last 30 years has alienated the people we need the most to be included in the process: private property owners."

The reforms favored by Pombo would allow endangered species to be recovered more effectively through regulatory changes and more rigorous scientific review, Kennedy said.

"Out of some 1,300 species listed over the past 30 years, we've only recovered 12, or less than 1 percent," Kennedy said. "The law needs to be updated to achieve better results. If we do not focus more on recovery, we will continue a system that checks species in for protection and never checks them out."

David Hogan of the Tucson-based Center for Biological Diversity, said the changes sought by Pombo and his allies would undercut protections for rare wildlife and plants.

"Many conservative Western governors are attempting to use this conference and others to build momentum to do away with what is really this nation's premier wildlife conservation law," said Hogan. "They claim the law is broken. But if that's true, we should fix it by strengthening provisions to protect endangered species and habitat, not by gutting the law."

John Kostyack, senior counsel for the National Wildlife Federation, said that Pombo, a rancher and real estate developer who builds subdivisions on former agricultural land, is not a credible consensus builder for reforming the law.

"What this is all about is the weight of public opinion and whether it will be on the side of the changes that Pombo wants to put through," Kostyack said.

Contrary to the claims of the law's critics, the Endangered Species Act has prevented hundreds of species of wildlife and plants from becoming extinct, he said.

"They won't talk about the accomplishments," he said.

Currently, there are 1,264 species - 518 animals and 746 plants - listed as either threatened or endangered, according to the U.S. Fish and Wildlife Service.

In fiscal year 2001, states and federal governments in the United States spent \$2.5 billion to carry out the Endangered Species Act, according to a report released Monday by the service. That amount dropped to \$1.2 billion in fiscal year 2002.