

## **Lawmakers try new tack on species act**

### **BILL: They say current federal law is too restrictive and ineffective, but critics disagree.**

**By JIM MILLER**

Congressional critics of the Endangered Species Act proposed legislation Monday to overhaul the landmark law, saying the changes would do a better job of protecting more threatened creatures while reducing court fights.

The measure would have major implications in the Inland area.

The fast-growing region hosts a number of endangered species, leading to frequent conflicts among local governments, landowners and environmental groups.

Reps. Richard Pombo, R-Tracy, and Dennis Cardoza, D-Merced, called their legislation "The Threatened and Endangered Species Act of 2005 — a bipartisan fix reflecting months of closed-door talks with property rights groups, the Bush administration, environmental groups and others.

"The goal is recovery," Pombo, chairman of the House Resources Committee, told reporters in Sacramento.

"What we are doing now is not working and we need to change that law."

The House resources panel is scheduled to begin hearing testimony on the bill on Wednesday.

#### **Measure attacked**

Environmental critics quickly attacked the measure as an attempt to weaken the 1973 species act.

About 1,370 animals and plants are on the endangered list.

"This bill would rip the heart out of the Endangered Species Act by making it virtually impossible to recover endangered species," said Kiernan Suckling, policy director for the Tucson-based Center for Biological Diversity.

The center has an office in Joshua Tree and has filed several lawsuits over species in the two-county Inland region.

Proponents of the measure implied that its critics were motivated by an interest in settlements from act-related lawsuits.

Pombo, who frequently clashes with the act's defenders, said his measure in fact reflected the concerns of some environmental groups who joined in the negotiations to craft the bill.

He declined to name any of them, citing assurances of privacy he said he gave their leaders.

Among the groups participating in the talks was Defenders of Wildlife, spokeswoman Cindy Hoffman said.

But Hoffman distanced the organization from Monday's bill. "His legislation doesn't come anywhere near what he had hoped," she said from the group's Washington office.

Pombo's committee passed two bills last year to amend the law, but neither got a vote on the House floor. Earlier attempts to amend the law also went nowhere, including a 1997 effort that cleared a Senate committee.

A major part of Monday's measure would change how the government views critical habitat for endangered species, a designation that can lead to more restrictions on development.

There are about 120 million acres of the habitat in the country, including thousands of acres in Riverside and San Bernardino counties for more than three dozen endangered or threatened species.

Under Monday's legislation, the critical habitat program would no longer exist. Instead, there would be a "recovery planning process" to help endangered or threatened species.

"What he replaces it with is nothing like critical habitat," Suckling contended.

Pombo and Cardoza's bill also calls for compensating property owners for any loss that results from protecting endangered species.

### **More Costly**

Supporters acknowledged that the provision would make the legislation more expensive than the current law. In the long run, though, it would reduce court fights and save money, Pombo said.

"I feel that to do this and to do it right, it's going to cost more money," the congressman said.

Environmental groups countered that the bill would encourage developers to plan projects for environmentally sensitive areas to get compensation from the government.