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## Time to Save an Endangered Act

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By **KASSIE SIEGEL**

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President Barack Obama's Secretary of the Interior Ken Salazar is facing his first great test as chief steward of our nation's magnificent yet imperiled public lands and natural habitats. He has until May 9 to undo one of President George W. Bush's worst environmental actions -- regulations gutting the Endangered Species Act, our nation's safety net for plants and animals on the brink of extinction.

The species act grants substantial protections to creatures on the lists of "threatened," and "endangered" species. The law requires federal agencies to base decisions on the best available scientific information, but time and again Bush's political appointees rode roughshod over science and denied species protections.

The species act has prevented the extinction of 99 percent of all species listed to date. Among the law's most effective provisions is the requirement that federal agencies ensure that their actions do not jeopardize protected species or degrade critical habitat, through consultation with the U.S. Fish & Wildlife Service or the National Marine Fisheries Service.

One of Bush's last acts in office was to weaken this protection by allowing federal agencies, often

with no biological expertise, to decide for themselves whether their actions will harm endangered species. The regulations also create broad exemptions, aimed at greenhouse gases, but potentially encompassing other pollutants as well, from consideration during the consultation process.

On March 3, Obama issued a memorandum directing federal agencies to resume consultations on whether projects could affect imperiled species -- a positive, but partial step toward undoing the damages from Bush's regulations. This is because while Obama directed consultations, he did not address the scope of those consultations, which are severely constrained by Bush's rules. But now Congress has now given the interior secretary a golden opportunity to do so: The spending bill allows the secretary to revoke the rules with no more than the stroke of a pen, but this authority extends only until May 9. If Salazar fails to act, the regulations will remain in place unless they are overturned by the courts. At this point Salazar's decision appears far from certain.

There could hardly be more at stake. Our nation's natural treasures are under siege as never before, with global warming joining habitat destruction and invasive species to form a deadly trio of top threats. California, with its extensive coastline, critically

important winter snowpack, and arid desert regions, is particularly vulnerable to global warming, and the Inland Empire will be hard hit. Greenhouse gas emissions are putting at risk the mountain yellow frogs, the once-common Quino checkerspot butterfly, and the desert tortoise, which has inhabited our deserts for hundreds of thousands of years.

There could not be a more crucial time to reestablish our most effective tool for saving these species and the ecosystems on which they depend.

Such is Salazar's great test -- he is under intense pressure from powerful anti-regulatory interests to let the Bush regulations stand. But revoking them is the essential first step toward restoring scientific integrity and the rule of law to his vast department, and it is the only choice which will give so many plants and animals a fighting chance of surviving global warming.

By saving the Endangered Species Act, Salazar will not only fulfill an Obama campaign pledge, but also, he will reveal true environmental leadership at a time when we have never needed it more.

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