

## Proposed Legislation Would Destroy Endangered Species Act

Rep. Richard Pombo (R-CA), a longtime foe of the Endangered Species Act (ESA), is about to introduce a bill that will dramatically alter the reach of the act. Titled the Threatened and Endangered Species Recovery Act of 2005, the Pombo bill has infuriated environmental groups, who have dubbed it the "Wildlife Extinction Bill."

ESA is in many ways the underpinning of the entire structure of America's environmental protection system. The Pombo bill would actually repeal ESA entirely in 2015. [1]

Pombo's bill dramatically alters the criteria a species must meet in order to qualify as endangered. While the current ESA requires that species be listed if their survival is threatened "in a significant portion of [their] range," Pombo's bill only considers a species to be endangered if its survival is threatened in its current remaining occupied habitat. [2] In other words if a healthy population of an endangered species exists in an isolated region, but is threatened elsewhere, it would not be considered endangered.

Kieran Suckling, policy director of the Center for Biological Diversity, told BushGreenwatch that this change in the Act's language "would wipe most currently endangered species off the list and prevent most others from ever getting there, making endangered species recovery impossible."

Pombo's bill also limits which species can be considered endangered by allowing only species imperiled by "human activities or by invasive species, competition from other species, drought, fire or other catastrophic natural causes," whereas the current ESA requires the listing of any endangered species, regardless of what threatens its survival. [3]

Lacking any scientific rationale, the Pombo bill defines invasive species to exclude those "grown for food, fiber or human use." This change makes the criteria to qualify as an endangered species even more stringent because many harmful invasive species, such as bullfrogs, buffel grass, brown trout, carp, tamarisk, and predatory snails, were or still are being introduced for "human use." [4]

Defying the ESA's goal of assisting endangered species recovery, Pombo's bill proposes to protect only enough habitat for an endangered species to survive on the brink of extinction, not enough to grow. The ESA currently designates "critical habitat" as areas "essential to the conservation of the species," regardless of whether or not the species has a presence there.

Critics charge that by limiting critical habitat to a bare minimum, Pombo's legislation contradicts the overarching goal of the ESA, which is to prevent endangered species from going extinct.

Jamie Rappaport Clark, former director of the U.S. Fish and Wildlife Service and current vice president of Defenders of Wildlife points out that, "Loss of habitat is widely recognized by scientists to be the primary cause of species endangerment and extinction." [5]

Further inhibiting endangered species from restoring their population to healthy levels, Pombo's bill gets rid of the current ESA requirement to assist endangered species recovery using "all methods and procedures necessary to bring any endangered species or threatened species" back to levels where it is no longer considered endangered. Pombo's bill makes the recovery requirement optional. [6]

The Pombo bill also severely limits protection for "threatened species" whose populations are in rapid decline but not yet considered "endangered." The current ESA mandates protection of critical habitat for both threatened and endangered species, Pombo's bill flat-out disallows federal protection for threatened species.

#### SOURCES:

[1] "Pombo Bill would repeal endangered species act, eliminate recovery goals and requirements," Center for Biological Diversity, Jun. 17, 2005.

[2] "House draft would overhaul ESA, as Senate looks at landowner incentives," E&E Daily, Jul. 11, 2005.

[3] Center for Biological Diversity, op. cit.

[4] Center for Biological Diversity, op. cit.

[5] "Insights: The Vital Importance of the Endangered Species Act," Environmental News Service, Jun. 29, 2005.

[6] Center for Biological Diversity, op. cit.