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## Save the Endangered Species Act

OUR OPINION: U.S. SENATE SHOULDN'T FOLLOW HOUSE'S BAD EXAMPLE

**T**he revisions to the 32-year-old Endangered Species Act approved by the House of Representatives by a 229 to 193 vote last week were a sell-out of the very creatures the law is supposed to protect.

If the Senate were to go along with this bill, it would reverse three decades of progressive actions that have restored American bald eagles and condors; and Florida panthers, manatees and Key deer, to name just a few.

The Senate once before has rescued the Act from evisceration by the House, and now it must do so again to maintain the biological diversity that is key to a life-sustaining planet for humans and animals.

### Critical habitat

The most successful tool for rescuing and restoring healthy populations of endangered species is to preserve their habitat. Yet the House bill would eliminate the current system of designating critical habitat that is determined to be crucial to an animal species' survival. The house actually would prohibit federal agencies from doing what works best. This makes no sense given the proven effectiveness of critical habitat designations.

The House bill also takes aim at science. Currently, the Act's rules call for using "the best available science" and relying on scientists to determine these criteria when deciding if a species is endangered and how to protect it. The House voted instead to give the secretary of the Interior Department, a political appointee, the power to define what scientific evidence can or can't be used to determine species protection.

Another bad provision would require the federal government -- i.e., U.S. taxpayers -- to pay land owners *not* to harm endangered species on their property. Supporters of the House bill estimate this provision alone would cost \$10 billion, while opponents believe it would be much higher. The House also set unrealistically short timetables for federal agencies to determine whether a proposed development should be permitted and would require the permit seeker to be compensated -- again by taxpayers -- if the deadline isn't met.

### Senate more responsible

Fortunately, there is precedent for the Senate to follow if it is to save the Act from this irresponsible revision. In 1978, in reaction to a Supreme Court decision that stopped construction of a dam to protect the snail darter, an endangered fish, the House passed a bill that virtually crippled the Endangered Species Act. The Senate, acknowledging that some complaints were valid, made wise revisions to the law but spurned the House's extreme measures. The Senate must again come to the rescue of the Act, and the many creatures that the law can save.