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Senate should vote to save vanishing species

Editorial

Environmental protection has become an endangered species. Now Congress is poised to gut the Endangered Species Act itself, the law that put peregrine falcons back on the White Mountains' cliffs and the bald eagle back on the Merrimack.

California Republican Rep. Richard Pombo has stalked the Endangered Species Act for a decade. Pombo is chairman of the House Resources Committee. In one breath he has been selling his bill as an effort to help endangered species by enlisting the voluntary cooperation of landowners. In the next, he has sponsored bills to eliminate habitat protection on 150 million acres of public land and make it legal to re-open old mining claims in national parks. His agenda is clear.

Last fall, he succeeded in convincing his colleagues to pass a bill weakening the law in ways that will doom some species to extinction. Pombo believes that the owners of private property should be compensated for any loss they incur when the act prevents them from developing their land to its maximum potential.

Some level of compensation is only fair. Doing it Pombo-style, however,

would make the act too expensive to enforce because it requires that government pay owners the maximum market price for the land.

A mere threat to develop - "Give me \$100 million or I'll shoot this duck" - might be enough to make a landowner rich.

In reality, the act does not forbid development. It requires that landowners take steps to minimize damage to endangered species. Since the act was passed, only six requests to conduct activities that would incidentally harm a species out of 768 requests for permission to do so have been denied.

Pombo's bill would take the job of deciding when a species is endangered out of the hands of independent scientists and give it to the secretary of the interior. That would give life and death power over a species or an ecosystem to a political appointee who may want to curry favor with supporters or do industry's bidding in exchange for a reward down the road.

The bill also requires government to decide Endangered Species Act matters within 180 days. That's far less time than it takes to conduct a proper environmental assessments

by experts. Yet if the government failed to act in time, the bulldozers could roll.

Pombo and his supporters have dubbed the Endangered Species Act a failure since only a dozen or so of the 1,300 species on the list have made a successful recovery. Their argument is specious. The act has been a success. It's not in need of serious revision.

New Hampshire is home to seven endangered and five threatened species. Before Sens. Judd Gregg and John Sununu vote on Pombo's bill, they should read the Department of Fish and Game's description of the act's impact on their own state.

"Only nine species have gone extinct since the ESA was signed into law in 1973, while more than 1,250 species have recovery plans in place" the department said. "Without the Endangered Species Act, the peregrine falcon may have ended up like its cousin the passenger pigeon."

The fate of a single life is a massive responsibility, but the fate of a whole species should not be for man to decide. If the Senate makes the wrong decision, some forms of life that could have been saved will forever vanish from the Earth.