

What's the rush?

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GIVEN HIS REPUTATION as the biggest critic in Congress of the Endangered Species Act, it's hardly surprising that Rep. Richard W. Pombo (R-Tracy) would introduce legislation to weaken the nation's efforts to preserve rare plants and animals. What is surprising, and unacceptable, is that the House so far appears willing to rush it toward a vote without meaningful debate or analysis.

House leaders are acting as though this were a bill honoring some local Girl Scout troop instead of a complicated piece of legislation that could carve big holes in the nation's laws protecting the environment — and lavish public money on private landowners.

Pombo introduced the bill last Monday; by Thursday, it had been modified and approved by the House Resources Committee. Pombo is now hoping to get it on the House floor Wednesday.

How much would the act cost? Nobody really knows. What would happen to critical habitat meant to encourage the recovery of endangered species? That's not certain. How would its new restrictions on government regulators affect the size and number of developments allowed in sensitive areas? It's unclear. There hasn't been time for a close reading and analysis of the legislation's many and changing provisions.

So what's the rush? Unexplained. But it certainly helps Pombo's case if this bill is considered before Congress starts taking a serious look at the costs of Hurricane Katrina. The legislation would require the federal government to provide big giveaways to landowners — with no budgeted limit — so long as they do not harm endangered species on their property.

The bill is in some ways a marked improvement on Pombo's draft version of last summer. It would not end all protections in 2015, as the earlier one would have. It also eliminates wording that would have allowed the government simply to keep species hanging on the edge of extinction instead of working to restore their populations to healthy numbers.

But the bill allows business and landowners to go ahead with potentially harmful projects if the Fish and Wildlife Service fails to evaluate their plans within 180 days. The chronically understaffed agency cannot evaluate all proposals within that time. It puts heavy paperwork burdens on agencies before they can carry out plans to restore species.

Worse, the bill's compensation provisions give landowners an incentive to propose expensive "projects" that they may never intend to build. If they simply forego the right to develop, they could collect from the government the value of the land with the hypothetical development on it — without ever having to develop anything.

There are valid discussions to be had about how to make the Endangered Species Act less prone to lawsuits and red tape. But rushing a problematic and prohibitively expensive bill through Congress precludes such discussion.