

Will the Endangered Species Act become extinct?

William Robert Irvin

The sweeping changes brought about in Congress by the November 1994 elections also brought environmental laws under increased scrutiny. For the first time in a quarter century, lawmakers are proposing to roll back laws protecting America's air, water, and wildlife. Perhaps most threatened of all is the law which protects threatened and endangered species, the Endangered Species Act (ESA).

For more than 20 years, the ESA's provisions have been used to protect wildlife ranging from our Nation's symbol, the bald eagle, to little known species like the dwarf wedge mussel. In the process, it has protected us. The ESA helps to protect agriculture by conserving the wild relatives of food crops; these relatives form a reservoir of genetic diversity which can be tapped when infestations or blights threaten (see p. 47). For example, the ESA currently protects endangered Texas wildrice, which could hold the key to controlling future threats to domesticated rice crops. In addition, nearly half of all pharmaceuticals — such as the anticancer drug taxol derived from the Pacific yew — are made from natural compounds. Adhering to conservationist Aldo Leopold's maxim that the first rule of intelligent tinkering is to keep all the pieces, the ESA helps preserve complex ecosystems upon which we all depend for survival. Moreover, the ESA helps us to pass on a rich heritage of plants and animals to future generations.

Despite the ESA's importance, Congress has already limited its effectiveness in conserving endangered species. Bills appropriating money to fund the U.S. Fish and Wildlife Service (USFWS) prohibit the agency from adding new species to the endangered list and designating critical habitat until September 30, 1996 or reauthorization of the ESA, whichever comes first. Senate bills addressing ESA reauthorization would

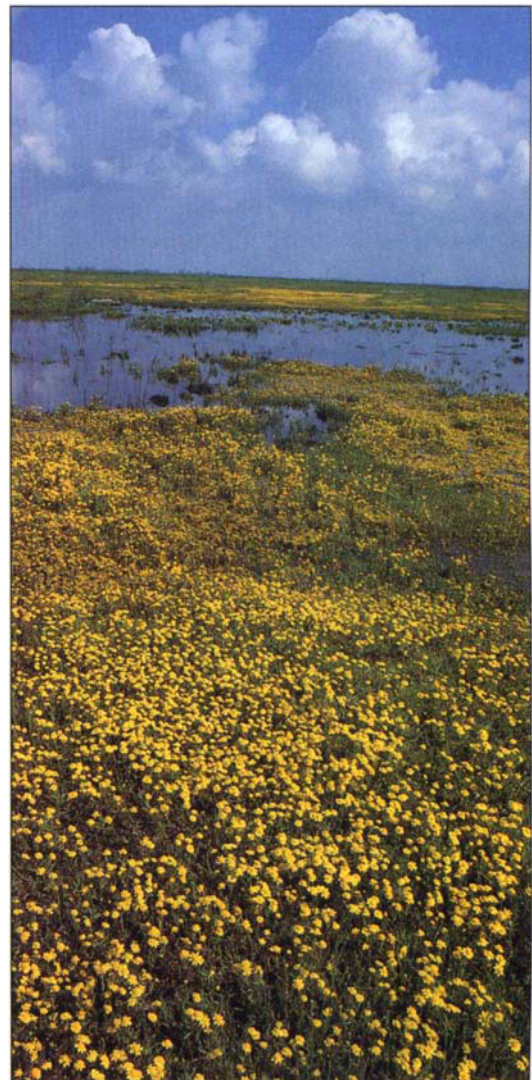
abandon the ESA's central goal of recovering species, hamper the law's protection of habitat, and impose cumbersome and costly bureaucratic hurdles on endangered species conservation.

In the House of Representatives, the Resources Committee has voted to send to the House floor a bill which would severely limit protection of numerous endangered species including whales, sea otters and sea lions.

ESA foes have claimed that endangered species are taking precedence over the rights of farmers and ranchers. In fact, more than 99% of all proposed development projects reviewed for conflicts with endangered species have gone forward, indicating that the ESA has rarely obstructed development.

Many among the American public, in newspaper editorials, at the White House, and in Congress are speaking out against the effort to turn the clock back on more than two decades of progress in endangered species conservation. The Senate recently defeated an amendment to halt the successful program through which endangered red wolves have been reintroduced to the wild.

The debate over the ESA offers an opportunity to improve its provisions. For example, the ESA could provide greater incentives for conservation on private lands, through innovations such as estate tax reform, tax credits for habitat restoration efforts, and technical assistance to landowners in making use of their land in a manner that is compatible with endangered species conservation. In addition, the act could foster a more efficient approach to conservation, focusing efforts on endangered ecosystems rather than single species. It could also promote earlier intervention to head off endangered species conflicts. The key to the success of such approaches will be greater involvement by landowners, state and local governments, and other interested parties.



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U.S. Fish and Wildlife Service estimates that 60% to 90% of California's vernal pool habitat is under residential or agricultural use. Vernal pools support tiny ecosystems of rare plants and animals such as the endangered fairy shrimp.

For supporters of endangered species conservation, such as the Center for Marine Conservation, the bottom line is that the ESA must not be weakened. As 19th-century American conservationist William T. Hornaday wrote:

"The wild things of this earth are not ours to do with as we please. They have been given to us in trust, and we must account for them to the generations which will come after us and audit our accounts."

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