

A better way to conserve endangered, threatened species

By **Daren Bakst**
The Heritage Foundation

For 45 years, the Endangered Species Act has been the law of the land. And for 45 years, it has been a failure. That may sound harsh, but consider the results. In that time, less than 3 percent of domestic species listed as endangered or threatened (species that are likely to become endangered) have been taken off the list due to their recovery. But some proposed changes should at least help. The U.S. Fish and Wildlife Service and National Marine Fisheries Service, which implement the ESA, are considering new regulations that will better conserve species by solving some significant problems with the law’s implementation. For example, the proposed changes would require the Fish and Wildlife Service to treat endangered and threatened species differently from each other, just as Congress intended and just as the National Marine Fisheries Service has been doing successfully for years.

The ESA applies its most significant protections to endangered species, including very stringent prohibitions against activities that would harm species or its habitat. This includes severe restrictions on how property owners can use their land.

But for threatened species, the ESA’s general rule is that these stringent prohibitions don’t apply. Unfortunately, the Fish and Wildlife Service has implemented the law in the exact opposite fashion: the general rule is that these prohibitions do apply to threatened species.

This misguided approach hurts conservation efforts by diverting time and resources away from where they are most needed. It also removes important incentives for private property owners. For example, if the stringent prohibitions didn’t apply to threatened species, private property owners would have the incentive to protect these species from becoming endangered in order to avoid the stringent prohibitions.

The proposed regulations would also address how the government determines “critical habitat,” areas that are essential to the conservation of a species.

The U.S. Supreme Court recently heard a case, *Weyerhaeuser Company v. United States Fish and Wildlife Service*, which shows just how overboard the government has gone in determining critical habitat.

The Fish and Wildlife Service determined that an area in Louisiana was critical habitat for the dusky gopher frog, even though the frog hasn’t been documented in Louisiana for more than 50 years and doesn’t occupy the area in question.

This area is currently unable to support the frog. The only way the area could support the frog is if the private property owners make major and costly changes to their private property, which they have said they won’t make (nor can they be forced to make).

Nobody benefits from this unreasonable critical habitat designation. This includes the dusky gopher frog, because regardless of the legal outcome of the case, the area still won’t be able to support the frog.

Fortunately, the federal government is proposing changes that should reduce the likelihood of similar situations, including taking into account the obstacles that exist to make an area usable habitat for a species.

One of the biggest proposed regulatory changes would increase transparency and better identify the benefits and costs of the ESA.

The law requires that science alone should determine whether to list a species; the costs of protecting a species has nothing to do with whether it is endangered or threatened. However, the federal government has used this science-only requirement as an excuse to prohibit the identification of the benefits and costs of listing a species.

Based on the proposed changes, the federal government would still make listing decisions without considering costs, but would start to identify and communicate the impacts of these listing decisions.



Your views

Simer: Support community, come to Festival of Trees Family Fun Day

To the Editor:
The Union County CASA program loves helping with the Family Fun Day at the Soroptimists’ Annual Festival of Trees. We’ve been a lucky grant recipient and enjoy expressing our gratitude for support in such a fun way. We serve children removed from their home due to abuse and neglect, so time spent offering another fun-filled, family activity for little cost is truly a blessing. Who wouldn’t enjoy time with happy children sharing their creativity?

With dollars invested in CASA, we can provide voices for children navigating the court system as well as essential items such as school supplies, warm clothing, shoes, tuitions for grievance camps, equine therapy and other therapeutic supports. We have been successful in securing voices for all our children due to investors like the Soroptimist.

Please be sure to come show your support of our Soroptimists and craft

with us at the Festival of Trees Family Fun Day Dec. 1. There will be many cute ideas, great activities, yummy treats and wonderful performances offered.

Wendy Simer
Program Manager
CASA of Eastern Oregon

Cooke: Extreme climate events are more destructive than undocumented immigrants

To the Editor:
No you don’t, Mr. President. Keep your hands off the refugees arriving in the country.

Stop wasting our tax dollars on detention of mothers and babies, of fathers and children. They need to be released into our communities. Stop threatening to tear those families apart, adding to their trauma. Stop pushing them back into violence, starvation and death while spouting hypocrisy about the “sanctity of life.”

Let my people go, Mr. President. Yes, they are my people. I have claimed them just like the famous poet:

Con los pobres de la tierra,

Write to us LETTERSTO THE EDITOR

The Observer welcomes letters to the editor. Letters are limited to 350 words and must be signed and carry the author’s address and phone number (for verification purposes only). We edit letters for brevity, grammar, taste and legal reasons. We do not fact check. We will not publish poetry, consumer complaints against businesses or personal attacks against private individuals. Thank-you letters are discouraged. Letter writers are limited to one letter every two weeks.

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Quiero yo mi suerte echar.
“With the poor of the earth, I wish to cast my lot.”
Stop wasting our resources and look at the real danger — extreme climate events. These have taken far more American lives and property than anyone coming over our borders. We do not want a wall. We want to work together to save this fragile planet.

Mary Cooke
Cove

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