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Enhancing the ESA – Endangered Species Act **by Senator Larry Craig**

“Save 100 elk – kill a wolf.” “Spotted owl tastes like chicken.” If you spend any time at all on the roads in Idaho or the Northwest, you’ve probably seen one or both of these bumper stickers. I don’t encourage people to go out and kill a member of an endangered species, but I mention these bumper stickers for a reason. Few federal policies generate as much passion and debate as the Endangered Species Act (ESA).

The idea that forms the foundation of the ESA is a sound one: humans ought to do all we can to prevent species of plants and animals from being wiped from the face of the earth. Our environment benefits from having more – as opposed to fewer – species.

In practice, however, the ESA has been far from perfect. Few would argue that point. The actions that result from listing and protecting endangered species have done immeasurable damage to the lives of too many people to count. Entire industries and communities have been gutted as a result of the listing of some plants and animals as endangered. Jobs have been lost and families uprooted.

Since the law was enacted in 1973, 1,310 species have been listed in the United States. Of those listed, more than 200 still don’t have recovery plans. Only 44 species have been delisted, and 17 of those were due to “Original Data in Error.” Those 44 delisted species work out to a three percent success rate. Not very reassuring, is it?

The purpose of the law is to recover and eventually delist species, not just list them and let them languish somewhere between health and extinction forever. The ESA has also become a tool to shut down human activity like farming, ranching or other economic development, with no intention of really recovering a species.

We could point to Idaho’s wolf population as an example of success under the ESA. Even there, however, serious problems have become clear. The U.S. Fish and Wildlife Service (FWS) stated in its recovery plan that there must be 10 wolf packs, or about 150 wolves in Idaho before the species could be delisted. Idaho’s wolf population reached that threshold years ago, and has more than quadrupled that number, but delisting only happened a few weeks ago. I have yet to hear a good reason why it took so long. In the meantime, farmers, ranchers, many backcountry guides and Idaho’s wildlife suffered tremendous loss.

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With that being said, should we scrap the law? Should we give up on protecting plants and animals facing extinction, and leave them to their fate? Of course not. Strangely, though, some in Congress and the environmental community acknowledge the problems with the ESA, but stubbornly refuse to do anything about it. This makes no sense, and cannot continue.

That is why I have joined with Senator Craig Thomas and several other colleagues to introduce S.658, the Endangered Species Reform Act of 2007. If approved, this legislation would improve the listing process by requiring adequate science that is field tested and peer reviewed, and would require the Secretary of the Interior to verify that sufficient biological data exist to support recovery planning. It would set minimum requirements for a list petition, and foster more involvement from the states in the listing and recovery process. This would ensure adequate resources and science are utilized to designate successful recovery plans, while maintaining economically viable communities.

Most important of all, our bill would require a recovery plan to be published at the same time a species is listed, so a goal of recovery is immediately in sight, instead of condemning a species to be in limbo indefinitely. Finally, it takes the obvious but necessary step of mandating that a species be delisted when it has met its recovery criteria.

The 44 species that have been recovered under the ESA show that it can be done. The 1,266 species – 97 percent – that haven't been recovered and are still listed, show that this law is broken. When a federal law becomes the butt of jokes on bumper stickers, as ESA has, that ought to be a good sign that it desperately needs fixing.