

## Not quite as endangered now

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Denver Post Editorial

The landmark Endangered Species Act seems less endangered now that Rep. Richard Pombo is out of Congress, and a recent bipartisan proposal holds promise for uniting interest groups that have long fought over the 1973 law.

But a second proposal needs to be studied carefully to ensure that the act itself will continue to protect vulnerable species.

The law came under heavy assault during the 109th Congress, with Pombo, a California Republican, pushing predatory changes widely regarded as a way to gut the act.

Voters drummed Pombo out of Congress last November and his party lost its majority, creating a new political landscape. Even so, there's no shortage of conflict over the endangered species law.

Environmentalists long have long seen the law as a key tool in protecting animals, fish and plants that are threatened by human development.

Success stories include the American bald eagle, whose population has rebounded under protection and which now is being considered for removal from the threatened and endangered list.

In Colorado, the act has been a key factor in efforts to save such species as the Preble's jumping mouse, the Gunnison sage grouse and the greenback cutthroat trout.

Critics of the law complain about infringement on property rights, the high number of listed species that don't seem to recover, and bureaucratic delays.

The proposed new legislation, S. 700, has united many groups on both sides of the debate. Colorado Sens. Wayne Allard and Ken Salazar are among the co-sponsors of the measure. If approved, it would provide up to \$400 million a year in tax credits to landowners who protect threatened and endangered species on their land.

It's a welcome approach, and the generally successful record of conservation easements would seem to indicate it could be a successful one as well. But the bill's \$2.7 billion price tag over 10 years might be an obstacle, given the financial pressures facing Congress.

Another measure, S. 658, proposes a broader revamp of the act and should get a very careful look. Some analysts who've studied the bill fear it would limit the scientific data that could be used when deciding to list a species. That bill is sponsored by GOP Sen. Craig Thomas of Wyoming and co-sponsored by Allard.

After more than 30 years, there's little disagreement that the Endangered Species Act is due for some fine tuning, but it needs to be done very thoughtfully, and in the cooperative spirit that has been absent from the debate in the past.