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Saving Species as the Climate Changes

Regulators say they are overwhelmed by lawsuits to save flora and fauna endangered by global warming. What's the answer?

The Law's Great Strength

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The great virtue of the Endangered Species Act is that it fights the human tendency to ignore problems indefinitely. It doesn't force us to save endangered species, but it forces us to notice their plight. It's a vital attention-getting device, and we need to be sure it continues to serve that purpose.

The challenges climate change poses for the law are different in degree, but not in kind, from those the law has always faced. By itself, the E.S.A. can't solve our most difficult conservation problems, which demand changes in entrenched patterns of development and resource use. But it brings people to the table, where they often find solutions.

The listing of the California gnatcatcher, for example, helped change the way state and local officials do land use planning. E.S.A. lawsuits convinced Texas to adopt its first groundwater management rules. The discomfort produced by the law's controversies, in other words, sometimes pays off with new conservation tools that reduce tensions in the future.

Unfortunately the U.S. Fish and Wildlife Service often dodges the very political controversies that catalyze change. That's been true under every president since the law was enacted. The most obvious examples from the Obama administration are the service's failure to address how the E.S.A. should deal with greenhouse gas emissions and its recent request that Congress cap funding for responding to citizen listing petitions.

The service's approach doesn't make conservation problems go away; it just makes them easier to ignore. Instead of looking for permission to leave more species in limbo, the service should look for ways to make the listing process more efficient. It might do more to solicit information from experts or combine analysis of species facing similar threats. Instead of trying to ignore the impacts of climate change, it should look for creative ways to address them.

The law has some underused tools that could be brought to bear. Federal agencies could be required to take a broad look at how to reduce the climate footprint of their actions. Grants to states could be conditioned on climate adaptation planning.

Most importantly, we need not to bury our heads in the sand. The Endangered Species Act is the best tool we have for making sure we confront conservation problems. We should protect its ability to hold our feet to the fire, even though it makes us uncomfortable.

The Endangered Species Act is the best tool we have for making sure we confront conservation problems, which the Fish and Wildlife Service would like to ignore.

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