A Glimpse of What's Possible

REFLECTING ON THE ESA: A VITAL TOOL IN IMPERFECT HANDS

By Dan Ashe

Credit: Tami Heilemann/DOI

Dan Ashe is Director of the U.S. Fish and Wildlife Service.

From the turbulent 1960s sprang a generation of laws restraining conquest of our nation's natural resources. Those laws included the 1973 Endangered Species Act. Now 40 years old, the ESA has endured, matured, and secured hundreds of species from extinction. Its enactment was like John Lennon's retrospection on the 1960s: "It wasn't the answer. It just gave us a glimpse of the possibility."

Since 1973—and thanks in part to the ESA—we have learned it is possible to have vibrant real estate markets in California and Florida, and still have viable populations of California gnatcatchers and Florida panthers. It is possible to harvest timber in old-growth forests, and still have habitat for marbled murrelet and migrating salmon. It is possible to deliver reliable water to Los Angeles and Phoenix, and recover smelt and chub in the Sacramento and Colorado Rivers. It is possible to produce energy from the Permian Basin, and have permanent protection for the dunes sagebrush lizard. It is possible to hear the elk's bugle and the wolf's howl as a symphony for which Aldo Leopold's mountain would rejoice, and not as a harbinger of hatred between hunter and hiker that many portray. Inherent, however, in each of these is a spirit of compromise and restraint.

We cannot have all the development, all the timber, all the water, all the energy, or all the game that people may desire. And we cannot ensure that all species will persist in all their historical abundance, geography, and diversity. As humans continue to expand in numbers (reaching at least nine billion by 2050) and affluence, we will occupy more of the planet's ecological space and consume more of its resources, leaving less for the rest of biodiversity. We can wish it weren't so, but it is that simple.

We choose to hide such inconvenient truths behind convenient slogans like "win-win." And when the fallacy of win-win ecology is revealed, we like to blame something other than our own greed and ambition. Some blame a law they call inflexible, unworkable, and unreasonable—the ESA as perfect scapegoat. But as you read some of the reflections in this fine publication—the product of one of our legacy professional societies—ask yourself if the shortcomings cited are in the ESA or in us.

We face many challenges in conserving biodiversity. My top ten: A changing climate, habitat loss, habitat fragmentation, species invasion, wildlife trade, disease, water scarcity, pollution, over harvest, and human indifference. The ESA is not a challenge. It is a gift to the entire professional wildlife conservation community—an expression of our nation's desire to conserve biodiversity. It is our possibility. We have seen it succeed, and we have seen it fail. It succeeds or fails based upon our strength or weakness, our ability or inability. We are the limiting factor. It's easy and convenient to blame the tool, and for sure we can improve it. But we need to be better craftsmen. We all have to be better. Better biologists. Better managers. Better diplomats. Better negotiators. Better partners. And yes, better directors.

We are getting there. I see it in the promising work to conserve the greater sage-grouse, a candidate for ESA listing. State and federal agencies are aligned, and a legion of NGO and industry partners is organizing. The possibility of a landscape-wide conservation effort—on a scale unseen since the 1986 launch of the North American Waterfowl Management Plan—is emerging. The ESA will work to help conserve the grouse if we are up to the challenge, and if we are capable craftsmen. We will also improve the law's implementation by sharpening and adjusting the tool. FWS and NOAA have published an Advanced Notice of Proposed Rulemaking to solicit ideas.

Out of the turmoil of the 1960s came arguably the most powerful and consequential of all environmental laws. It has worked miracles, like helping the manatee to recover amidst a sea of motorboats and restoring the California condor to western skies. The ESA is not *the* answer, but it gives us a glimpse of what is possible, and a spirit of optimism for what we can accomplish if we well execute that most human of qualities: judgment. ■

© The Wildlife Society