

John (Jack) R. Venrick

From: "John (Jack) R. Venrick" <jacksranch@skynetbb.com>
To: "AJack R. Venrick" <jacksranch@skynetbb.com>
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[Lahontan Valley News and Fallon Eagle Standard - Opinion](http://www.lahontanvalleynews.com/article/20060510/Opinion/105100018)
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The endangered landowner

May 10, 2006

By Ed Iverson

The endangered species act caseload now exceeds 1,300 unique species of animals and plants.

The ESA took effect when Richard Nixon signed it into law on Dec. 28, 1973. In the nearly 33 years that have elapsed since, less than 1 percent of the listed species have recovered. Only 6 percent are considered improving. The law has been a dismal failure at saving



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species. It has been a smashing success at abolishing private property rights.

Over the years, only a few species have ever been removed from the endangered list. Of those few species, three-quarters were the result of "data error." That means that dozens of species were originally listed as endangered because of elementary counting mistakes. Agency officers almost never discovered this error. Local citizens were forced to spend countless thousands of dollars and frustrating years of court challenges in an effort to force more accurate research. By the time the bureaucrats got around to correcting the error, thousands of hard-working Americans were run out of business, denied the use of their property, or both.

Like most programs carried on in the name of big government, the ESA has

been a dismal failure when measured by its original intents and purposes. On the other hand, the degree to which it facilitates the regulation of land use and the control of natural resources makes a thinking person wonder if that were not the original underlying purpose? The law has cost landowners their security and, as often as not, their livelihoods.

The cost to the taxpayer exceeds \$3.5 billion per year for implementation. Yet, United States senators are even now considering how to strengthen the law and make the draconian regulations even more onerous. This is a sad turn of events after many landowners and property rights watchdogs had reason to hope that the deadening effects of the regulations might be lessened under the current administration.

Unfortunately, George W. Bush has proved no particular friend of private property rights. The ray of hope promised by former secretary of the interior Gail Norton has given way to a dark cloud of doubt brought about by the nomination of Dirk Kempthorne. One would think that a Republican governor of Idaho would sympathize with the effort to tame the most abusive aspects of the ESA. However, while he was Idaho's senator, Kempthorne was an unblushing champion of endangered species. There is little indication that he has lessened his enthusiasm for an ESA with expanded powers, one that is broadened in scope.

The only bright spot in this rather dismal picture is the increasing momentum behind the campaign calling for a repeal of the ESA. Voters are fed up to the teeth with fabrications. In 2001, families in Klamath Falls, Ore., lost their farming operations because it was falsely reported that two fish needed the water more than did the irrigators. Who can forget that the Northwest timber industry was destroyed because radical environmentalists falsely claimed that spotted owls live only in old-growth forests?

The record of the ESA is one of sensationalist alarms, false reporting, and data error. Despite all this and the record of almost utter failure in achieving their stated purpose, the greens are fighting hard to keep their sacred law in place because it allows them to control millions of acres of private land without paying for that right. In what must be a record display of chutzpah, Democrats led by Sen. Harry Reid recently took the senate floor arguing that landowners requesting compensation for property lost because of the ESA were agitating for a new entitlement! It seems as though Sen. Reid considers the landowner's losses a necessary offering on the altar of the hallowed Sand Mountain Blue Butterfly

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