

## Judge orders action on polar bear protection

Polar bears. [U.S. Geological Survey](#)

Environmental groups scored a win Monday night when a federal judge ordered the Bush administration to cease its foot dragging over a decision whether to give polar bears Endangered Species Act protections.

Scientists with the [U.S. Geological Survey predicted](#) in September 2007 that most of the bears would be gone in a few decades:

"(F)uture reduction of sea ice in the Arctic could result in a loss of two-thirds of the world's polar bear population within 50 years."

The matter of listing polar bears under the ESA is a big deal because of the relationship of their survival with climate change. The ESA forbids actions that harm protected species, which in this case could potentially include actions like building coal plants and other steps to increase greenhouse gas production -- or perhaps selling oil leases covering millions of acres of polar bear habitat in the Chukchi Sea off Alaska's northwest coast.

Judge Claudia Wilkin gave the U.S. Fish and Wildlife Service until May 15 to make a decision on the bears; the agency asked for a delay until June 30.

From a Center for Biological Diversity press release:

In rejecting the administration's claim that the polar bear will not be harmed in the absence of Endangered Species Act protection, the judge pointed to a pending proposal to permit oil industry operations in the Chukchi Sea, and stated: "Defendants fail to show that the thirty-day waiting period will not pose a threat to the polar bear."

Here's a timeline of events (modified from the [CBD](#)):

- February 2005, CBD [files petition](#) with the Fish and Wildlife Service to list the polar bear under the Endangered Species Act (Greenpeace and National Resource Defense Council later join the petition).
- December 2005, environmentalists sue the Bush administration for failing to respond to the petition.
- February 2006, FWS finds protection "may be warranted."
- Jan. 9, 2007, FWS proposes listing polar bears "threatened" in Federal Register.
- Jan. 9, 2008, FWS is required by law to make a final listing decision. Deadline missed, lawsuit follows.

Posted by  [Lisa Stiffler](#) **Lisa Stiffler** at April 29, 2008 8:39 a.m.

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