



Lawsuit seeks action on polar bear protection

By Dan Sorenson
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A Tucson-based conservation group is suing to force a federal agency's decision on listing polar bears as an endangered species, an action that could lead to the first U.S. restrictions on greenhouse-gas emissions.

The Center for Biological Diversity partnered with the Natural Resources Defense Council and Greenpeace on Monday. The action, filed in U.S. District Court in San Francisco, calls for the U.S. Fish and Wildlife Service to make a decision on listing the polar bear under the federal Endangered Species Act, said Kassie Siegel, staff attorney and Climate Program director for the Center for Biological Diversity.

The Fish and Wildlife Service was petitioned to make a decision on listing the bear as endangered three years ago, missed a deadline, was granted a year to make a decision and then missed a January deadline, Siegel said.

"They're stalling," she said.

"They (the federal government) also commissioned their own study," said Will Hodges, a biodiversity advocate at the Center for Biological Diversity's Tucson headquarters.

"It sort of took this administration by surprise," Hodges said of a U.S. Geological Survey report. "It came

back and said two-thirds of the polar bear populations would be gone by midcentury" if nothing else changed.

"They are threatened, if not endangered," Hodges said. "They are threatened by greenhouse gas, which is melting their sea-ice habitat, as well as oil and gas exploration and increased shipping traffic, which has opened up as Arctic ice (melting) opens up sea lanes and shippers compete for oil and shipping rights."

"We don't usually comment on pending litigation," said Christine Eustis, a Fish and Wildlife Service spokeswoman. "We're working with the department (of the Interior, Fish and Wildlife's parent agency) to make our final decision. None of us can speculate on when."

Siegel said it probably would take eight weeks to get the hearing requested in Monday's legal action and that the Fish and Wildlife Service might render a decision long before then.

Other than denying protection for the polar bear, Siegel said, the agency's range of responses could include listing the polar bear as endangered, threatened or a combination of varied listings for the 19 recognized polar bear populations.

"They possibly could list some, and others not at all," Siegel said.

But she said the chances were good that the agency would list the bears as endangered.

"They didn't say this, but a species that is two-thirds gone by 2050 is clearly an endangered species," Siegel said.

Once an endangered listing for polar bears is obtained, it's likely that the center will try to force the big white predator's recovery plan to include limits on greenhouse-gas emissions.

The polar bear would not be the first species to be listed as endangered or threatened due to climate change or global warming, Hodges said. He said coral reefs and a seabird from the Pacific Northwest and British Columbia in Canada were the first species identified as in danger because of climate change.

The attempt to get the polar bear listed as threatened or endangered is the highest-profile action ever taken by the Center for Biological Diversity, Hodges said.

The center started as the Southwest Center for Biological Diversity in New Mexico in 1989, mostly dealing with endangered-species issues in New Mexico and Arizona. The group moved to Tucson and, more recently, shortened its name and went national and international.