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Tucson Enviro group challenge delay on polar bear protection

By Brad Poole

The Tucson-based Center for Biological Diversity and two other environmental groups plan to sue the U.S. Fish & Wildlife Service to force a decision on listing the polar bear as threatened under the Endangered Species Act.

A final decision on the listing, which Fish & Wildlife recommended in December 2006, was due by Wednesday. Monday, however, the service said the decision is expected within a month.

That's not soon enough for attorney Kassie Siegel, director of the Center for Biological Diversity's climate program and lead author of the 2005 petition to list the polar bear.

"We certainly hope that the polar bear will be listed within the next month. But this is an administration of broken promises, from Bush's campaign pledge to regulate greenhouse gases to Secretary (of the Interior Dirk) Kempthorne's failure to list a single species under the Endangered Species Act in the last 607 days," Siegel said.

The center, Greenpeace and the Natural Resources Defense Council, will file a notice of intent to sue if Fish & Wildlife does not meet the deadline, Siegel said in a statement.

The polar bear case is one of two recent center petitions focusing on dwindling arctic ice, which the center and government scientists agree is going to shrink in the coming century. Dec. 20, the center asked the National Marine Fisheries Service to list the ribbon seal, *Histiophoca fasciata*, as threatened or endangered.

Polar bears - North America's largest predators - rely on arctic ice as a platform for hunting and breeding and to migrate to denning spots on land. The brownish seal with white stripes depends on sea ice for molting, resting, breeding and rearing pups.

A U.S. Geological Survey report published in September to inform the Department of the Interior's polar bear listing decision paints a grim picture. The USGS looked at the sea ice extent in September as a benchmark for projecting ice coverage into the 21st century.

Seven of 10 models examined show no sea ice in September by 2100, and all show declines of 30 percent or more by 2050. And though the report acknowledges sea ice is difficult to model and no exact predictions are possible, the report likely is an understatement.

"If anything, models may be too conservative in their estimates of

the rate of future decline," the report said.

Fish & Wildlife hinted in the fall, after the USGS report, that the polar bear listing decision might be late because of the massive response to a call for public comment and a need to digest new information in the USGS report.