

ENDANGERED SPECIES: Groups move to sue over U.S. delay on polar bear listing

Lauren Morello, *E&ENews PM* reporter

Three environmental groups took the first step today toward suing the federal government to force a decision on whether to extend Endangered Species Act protection to polar bears.

The Center for Biological Diversity, Greenpeace and the Natural Resources Defense Council notified the Fish and Wildlife Service that they intend to sue to force a decision on the polar bear listing. Such notice is required before the groups can file a lawsuit in federal court.

A final decision on the bear is due today, but Fish and Wildlife Service officials said Monday that the agency would miss that deadline by about a month.

"Endangered Species Act listing decisions must be based only on science, and the scientists have finished their work on the polar bear listing," said Kassie Siegel of the Center for Biological Diversity in a statement.

However, FWS Director Dale Hall on Monday told reporters that the delay was caused by the large number of public comments the service received -- at least 680,000, he said -- and the completion in September of several reports on the bears by the U.S. Geological Survey.

Environmental groups petitioned the government in February 2005 to consider ESA protections for polar bears. Nearly a year later, in January 2006, FWS proposed listing the bears as threatened.

The case marks the federal government's first consideration of global warming as a factor when weighing species protection.