

Bush admin still dragging its feet on ESA listings, critics say

by April Reese

In the wake of criticism that it has listed fewer species under the Endangered Species Act than past administrations, the Bush administration has proposed one high-profile listing in recent weeks: the polar bear. But wildlife advocates say the proposal is an anomaly and does not signify a change in the administration's reluctance to provide protections to endangered plants and animals.

During the six years of the Bush administration, wildlife officials have added 57 species to the endangered species list, fewer than any previous administration. Of those 57 listings, 53 were the result of court action by environmental groups; the other four were the result of petitions filed by environmental groups.

"The administration has not listed a single species without there being a single court action or administrative action involved, which is a pretty dismal record," said Bob Irvin, Defenders of Wildlife's senior vice president for conservation programs.

Increased awareness of the effects of climate change and public pressure contributed to the Bush administration's proposal to list polar bears as an endangered species. Photo by Kathy Crane. Courtesy of NOAA's Arctic Research Center.

The Bush administration has listed an average of nine species per year, compared to 65 per year for the Clinton administration and 59 per year under George H.W. Bush. The first President Bush listed a total of 228 species during his term; Clinton protected 305 in his first term and 222 in his second. Currently, about 1,200 species are protected under the ESA.

The Bush administration received a welter of criticism last fall, when the [Center for Biological Diversity](#) circulated to the press documents that suggested political influence from Bush appointees in the Interior Department on U.S. Fish and Wildlife Service listing decisions.

An investigation by the Interior's Office of Inspector General concluded that in two instances, Interior Deputy Secretary Julie MacDonald refused to concur with staff reports that the Gunnison sage grouse and the white-tailed prairie dog are at risk of extinction ([Greenwire](#), Oct. 30, 2006).

In late December, FWS proposed listing the polar bear as threatened under the Endangered Species Act, citing concerns about melting sea ice, which provides polar bear habitat ([Greenwire](#), Jan. 2).

Although the Alaska office of FWS had recommended listing the polar bear, the proposal itself was a result of a petition from [the Center for Biological Diversity](#).

Typically, a group will petition to list a species, FWS will miss the deadline for responding to the petition, and the group will sue to force FWS to make a decision. In many cases, FWS eventually declines to list.

But the administration's unusual approach to the polar bear is not likely to mark a shift toward listing more species, environmentalists predict.

"I think the polar bear is an anomaly," said [Keiran Suckling, director of the Center for Biological Diversity](#), which has filed 53 of the successful listing lawsuits during the Bush administration.

The polar bear is a well-known species, falling under the category of "charismatic megafauna," and the melting of ice in the Arctic

has been well documented in the press, making this an unusually high-profile case, **he said**.

"They realized that 1,000 media outlets were waiting with bated breath on the polar bear decision," **Suckling said**. "If they didn't propose the listing, there would have faced an onslaught of criticism. I don't think any other species would have made it through."

Backlog cited

Bryan Arroyo, FWS's acting assistant director for endangered species, said court orders in the mid-1990s forcing the agency to designate critical habitat for all listed species has drained resources from the listing program. The Bush administration inherited that backlog, he said.

"All these lawsuits on critical habitat are diverting our resources away from listing," Arroyo said. "We've lost the ability to truly manage and prioritize where we're going to put those resources."

FWS has made significant progress on addressing the critical habitat backlog, but "we still have a long way to go," he said. Arroyo noted that the Bush administration increased FWS's budget for listing in recent years. Last year, the listing budget rose by 35 percent, to \$12 million.

Arroyo also said, however, that the Bush administration emphasizes voluntary conservation efforts and incentives to prevent species from requiring federal protection in the first place.

"If I could conserve a species before I have to list it, that's even a bigger success," he said. "I think we're making a lot of progress in shifting that paradigm toward 'let's not wait until it's too late.'"

As for the polar bear, Hugh Vickery, a spokesman for FWS, said the agency was considering listing the species before it received the petition from environmental groups. "This is a species that was already on FWS's radar screen," he said.

The proposal does not necessarily mean the species will be listed, Vickery added. "It's not an easy species to work on, because we don't have a lot of data," he said. "That's one reason we've cautioned people that this isn't a done deal."