



Swim for it!

## Selling out the polar bears ... or smart climate politics?

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by Jonathan Hiskes

The Obama administration will uphold a controversial Bush-era decision that limits protection for polar bears under the Endangered Species Act (ESA), Interior Secretary Ken Salazar announced today.

Polar bears will continue to be considered a threatened species because their arctic habitat is melting due to climate change. The decision essentially means ESA protections cannot apply to oil exploration and greenhouse gas emissions originating outside of the Arctic—the main threats to the bears' habitat.



In upholding the Bush-era decision on polar bears, is Obama shrewdly pushing a larger climate agenda?iStock Photo

For environmentalists, the decision means another disappointment from Salazar, a Coloradan with a ranching background whose environmental credentials were hotly debated when he was nominated for the post. Salazar upset wildlife defenders in March by upholding another Bush decision to take gray wolves off the endangered list in much of the northern Rocky Mountains and upper Midwest.

“For Salazar to adopt Bush’s polar bear extinction plan is confirming the worst fears of his tenure as Secretary of the Interior,” Center for Biological Diversity biodiversity program director Noah Greenwald said in an quickly released statement. “Secretary Salazar would apparently prefer to please Sarah Palin than to protect polar bears.”

“We’re very disappointed that Secretary Salazar decided not to cut through the red tape and restore protections for polar bears immediately,” Jamie Rappaport Clark, executive vice president of Defenders of Wildlife and a former director of the U.S. Fish and Wildlife Service, said in a release. “The polar bear’s Arctic sea ice habitat is melting away, the Arctic seals which polar bears hunt for food are becoming increasingly scarce, and the cause is clearly global warming. In spite of this, Secretary Salazar is leaving in place a rule that says activities that cause global warming and therefore

harm polar bears will never be considered violations of the Endangered Species Act under any circumstances. That made no sense under the Bush administration and it certainly makes no sense for the Obama administration.”

In his announcement, Salazar said polar bears would continue to receive federal protection under the ESA and the Marine Mammal Protection Act; the department’s main point is that the ESA isn’t the right way to address climate change.

“We must do all we can to help the polar bear recover, recognizing that the greatest threat to the polar bear is the melting of Arctic sea ice caused by climate change,” Salazar said. “However, the Endangered Species Act is not the proper mechanism for controlling our nation’s carbon emissions. Instead, we need a comprehensive energy and climate strategy that curbs climate change and its impacts — including the loss of sea ice. Both President Obama and I are committed to achieving that goal.”

That spin was echoed by Sen. Mark Begich, Alaska’s newly elected Democrat. “I commend Secretary Salazar for protecting the polar bear while also recognizing it is not appropriate to use a federal law like the ESA to try to regulate greenhouse gas emissions. I support Secretary Salazar’s belief that we need a comprehensive energy and climate strategy to reduce greenhouse gas emissions, but the ESA should not be used as a back-door regulatory tool to achieve this goal,” he said in a statement.

The Obama administration had until tomorrow to overturn the Bush rule, known formally as a 4(d) exemption. Today’s news could be read as further proof the president prefers to tackle climate change through a comprehensive plan—with approval from Congress—rather than through a series of regulatory maneuvers.

Don’t expect the polar bear story to end here: Defenders of Wildlife, which has sued in the past to force bear protections, said today it “will be forced to continue its litigation challenging the rule.”

It’s been an eventful few weeks in wildlife protection. Last Tuesday Obama overturned another crucial Bush ESA rule, restoring the ability of government biologists to weigh in on how federal actions would impact plants and animals. On Monday the gray wolf delisting took effect, handing the animals over to state management, which includes hunting plans, in Montana and Idaho.

And on Wednesday the Fish and Wildlife Service said it would review the threat climate change poses to the American pika, a small Western mammal that thrives only in a narrow altitude range. The pika could be the first animal in the lower 48 states to animal to join the endangered species list primarily because of climate change; FWS will submit its findings by next February.