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Obama Agrees with Bush on Polar Bears

By BRYAN WALSH

Polar bears have become the universal symbol of global warming, not so much because they're cute or cuddly (they're actually ferocious and not opposed to cannibalism), but because it is eminently clear that climate change is killing them. Polar bears depend on solid sea ice for survival; it's where they do their hunting. But when the ice begins to melt — as it has in recent years, thanks largely to warming — the bears can starve and die.

A 2007 study by the U.S. Geological Survey found that two-thirds of the polar bears on the planet could disappear by mid-century if Arctic ice keeps melting. So when the Bush Administration bowed to pressure from environmental groups last year and finally listed the polar bear as threatened under the Endangered Species Act (ESA) — admitting that melting sea ice was the reason — it was considered a rare green coup. Since the ESA mandates the government protect endangered species from hazards, listing the polar bear as threatened by global warming would appear to require Washington to control carbon emissions. Some green groups even thought the ESA could be used to fight new coal plants and other big emitters of greenhouse gases, on the grounds that they would accelerate warming and harm the polar bear.

But there was a catch. While declaring the polar bear threatened by global warming, the Bush Interior Department added a rule that limited the use of the ESA to curb greenhouse gas emissions. In other words, even though science says that global warming is directly hurting polar bears and man-made carbon emissions are the chief cause of global warming, Washington wouldn't be allowed to use the ESA to do anything about it.



Fish and Wildlife Service / AP

President Barack Obama had promised to review those last-minute Bush Administration changes to the ESA. And green groups were hopeful that the new Interior Secretary, Ken Salazar, would restore full protections for the polar bear. But they came away disappointed on May 8, when Salazar announced that he would keep the Bush rule in place, claiming that the ESA wasn't meant to be used to cap carbon emissions. "When the ESA was passed, it was not contemplated it would be a tool to address the issue of climate change," he said. "It seems to me that using the Endangered Species Act as a way to get to that global warming framework is not the right way to go."

Though he coupled his announcement with a call for comprehensive climate legislation, Salazar essentially made the same argument that his predecessors had: that the ESA was meant to deal with local threats to species, not global ones. It would be impossible, for example, to directly link the increase in carbon emissions caused by a new coal plant to the polar bears' melting habitat. But environmental groups, several of which had fought in the courts for years to force the Bush Administration to list the polar bear, found Salazar's logic faulty. "From a scientific standpoint they're wrong," says

John Kostyack, senior counsel at the National Wildlife Federation. “By doing this, the Obama Administration is missing a chance to tell the American people what global warming is doing their wildlife.”

Environmental groups were already less than enthusiastic about Salazar heading the Interior Department. A Democratic senator from Colorado, Salazar was a rancher more attuned to the idea of using nature rather than protecting it, and he angered greens early by removing the Western gray wolf from the endangered species list. As the head of Interior, he’ll be making decisions on whether to open up new land to oil and gas development, and the polar bear ruling has some environmentalists worried. “This does raise a red flag,” says Noah Greenwald, program director for the Center for Biological Diversity, which is fighting the polar bear ruling in court. “You worry this means

he is not going to be a friend of the environment and the Endangered Species Act.”

It’s a little early to judge Salazar’s tenure at the Interior Department, and the Secretary may have a point — the ESA wasn’t designed to counter a threat as global as global warming. The best way to deal with carbon emissions is to pass national legislation that would create a cap-and-trade program, rather than trying to stretch the ESA to fit a purpose its drafters couldn’t have foreseen. But the ongoing battle over the polar bear is a reminder that wildlife will be the first victims of global warming — and that saving them won’t be easy.