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'Threatened' status sought for polar bears

SAN FRANCISCO

- Jane Kay, Chronicle Environment Writer

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Arctic polar bears deserve protection under federal law because their frozen habitat is disappearing in a warming world, three environmental groups argue in a lawsuit filed Thursday in San Francisco.

The move by the Center for Biological Diversity, the Natural Resources Defense Council and Greenpeace is the latest attempt to force the U.S. Fish and Wildlife Service to give the bears "threatened" status under the Endangered Species Act.

If listed, polar bears would be the first mammal protected under the act because of global warming. There are 22,000 to 25,000 bears worldwide.

"Under the act, the government must take steps to protect the bear's critical habitat. The habitat is the Arctic sea ice," said Melanie Duchin, a Greenpeace specialist in climate and energy issues. "The only way to preserve it is to reduce emissions of global warming pollution."

The groups cite studies showing that as the ocean and atmosphere warm at an unprecedented rate, the huge crown of sea ice in the Arctic Circle is melting. The bears

spend nearly all of their time on sea ice, where they hunt, sleep, mate and travel. When the sea ice retreats, the bears have trouble making the long swim to land, scientists have found.

Global warming is linked to automobile traffic and power plants, where the burning of fossil fuels releases carbon dioxide and other greenhouse gases that trap heat near Earth's surface, according to the United Nations Intergovernmental Panel on Climate Change, a body of 2,000 scientists.

In the lawsuit filed Thursday in federal court, the environmental groups are asking the court to tell the government to respond to a petition that they filed in February to seek protections for polar bears, which if granted would have put in motion the listing procedure.

The Bush administration has not responded to the petition.

Chris Tollefson, a spokesman for the Fish and Wildlife Service, said Thursday that the agency intended to respond to the petition but didn't have the money.

"We're going to address the petition as soon as practicable. We've committed funding in

our 2006 budget," Tollefson said.

Under the Endangered Species Act, the government must protect a listed species from any activity that might threaten its habitat and its survival. In the case of the polar bear, activities would include oil and gas development in the Arctic National Wildlife Refuge and in other polar bear habitat.

Also under the law, federal agencies must consider detrimental effects when enacting policies and regulations.

The groups say that under the law, federal agencies would have to consult with the Fish and Wildlife Service before they approve such matters as fuel-economy standards, power plant emissions and leases to develop oil and gas, all related to greenhouse gases.

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