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## Facing The Prospect Of Extinction, Polar Bears Deserve More From Salazar

- Kassie Siegel December 30, 2010

The future of the mighty polar bear, the world's largest bear and one of the planet's most remarkable and iconic creatures, will be decided by what we do in the coming years. Climate change is pushing it ever closer to extinction as warming temperatures rapidly melt the sea ice it needs to survive. If greenhouse pollution trends continue the species will be driven extinct.

We had hoped the Obama administration would do its part to throw polar bears a lifeline at the close of 2010. Sadly, it did not.

Instead, Interior Secretary Ken Salazar has reaffirmed a Bush-era decision that listed the polar bear as "threatened," rather than the more protective "endangered," under the Endangered Species Act. The Dec. 23 decision is all too typical of what we have seen to date from the Obama administration and Secretary Salazar: rather than break with the flawed policies of the Bush administration, they have embraced them. Salazar denied polar bears full "endangered" status for the same reason as the Bush administration: doing so allows the government to exempt greenhouse gas emissions from regulation under the Endangered Species Act.

Salazar's decision was in response to a November court ruling in our ongoing case seeking full protection for the polar bear as "endangered." The judge rejected one of the Interior Department's arguments defending the "threatened" listing - that extinction must be "imminent" before a species is listed as endangered - and told the government to reconsider. The Interior Department came back with a new explanation, but said essentially the same thing in different words - that the polar bear must be "on the brink" of



extinction before it is protected as "endangered." The decision is bad policy, ignores the science and will likely get overturned when we are back in front of the judge in February.

It may be politically expedient to forestall aid for the polar bear but the reality is that the devastating effects of global warming have already arrived in the Arctic. These incredible bears - which are completely dependent on sea ice for hunting, mating and raising their young - are starving and drowning as warming temperatures rapidly melt their habitat.

As a matter of science, the case for endangered status for the polar bear is unassailable. The government's own studies show an 80 percent chance that two-thirds of the world's bears will be extinct in 40 years, and quite possibly well before then.

Eight of the world's 19 polar bear populations are already in decline, with the more southerly populations hit the hardest and earliest. The Western Hudson Bay population, in Manitoba, Canada, is the most well-studied scientifically, the most visited by tourists, and one of the first to be impacted. I was there in November and saw some of the depressing effects on these magnificent bears first-hand.

Polar bears in western Hudson Bay must come to land each spring when the sea ice melts and fast until the ice freezes again in the fall. The average date of breakup of the sea ice there is now about three weeks earlier than it was 30 years ago, while freeze-up comes several weeks later. The western Hudson Bay polar bear population declined 22 percent between 1987 and 2004, the latest year for which we have final population counts. There's every reason to believe the decline is continuing and accelerating.

Simply put, there is no scientific rationale - or valid legal footing - to deny polar bears the maximum protection available. Unfortunately, Salazar has embraced the Bush administration's illogical position that greenhouse gases are somehow fundamentally different than other pollutants and, when it comes to protecting our nation's most vulnerable wildlife, should be exempted from regulation under the Endangered Species Act. Existing programs under the Act have a long track record for saving imperiled species including by reducing pesticides that harm bald eagles and frogs, and reducing toxic mercury that kills fish and harms other aquatic ecosystems. It makes no sense to exempt greenhouse gases, the greatest threat the world has ever known, from these effective proven programs that are already in use.

While the Endangered Species Act on its own does not provide a complete solution to global warming, the fight over whether greenhouse gas emissions should be exempted from its reach reflects the issues in the larger war over carbon and the future of our planet. Although Obama's Environmental Protection Agency is finally moving forward with greenhouse reductions under the Clean Air Act - certainly our most important tool for cutting major sources of greenhouse pollution - the agency has been slow and tentative. That says nothing, too, of the failure of Congress to pass a climate bill or the inability of U.S. leaders at world climate talks to match the urgency and magnitude of this global crisis. The great irony of U.S. inaction on climate, of course, is that we have the strongest and most successful domestic environmental laws in the world, but seem unwilling to use them.

Salazar's polar bear decision is not just a blow to the polar bear, it is completely at odds with Obama's fading promises of restoring scientific integrity to government decision-making. Fortunately, we are not without recourse. Just as the courts have overturned Salazar's attempts to strip wolves of Endangered Species Act protections, they will likely do so with his polar bear decision. But there is a larger point at play here: Ultimately the fate of polar bears - and the rest of us - will depend on decisions that prioritize environmental protection over profits, science over politics and the long-term survival of all the planet's inhabitants over short-term gains of a few.