



No show at polar bear hearing

Senator wanted Interior chief to explain indecision on endangered listing

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WASHINGTON - Sen. Barbara Boxer held a hearing Wednesday to find out why the Bush administration has put off deciding whether to list Alaska's polar bears as a threatened species. But her star witness, Interior Secretary Dirk Kempthorne, didn't show.

"This listing is months overdue, in violation of the Endangered Species Act," the California Democrat said at the hearing of the Senate Environmental and Public Works Committee.

The deadline for a decision was Jan. 9. Conservation groups petitioned to list polar bears as threatened more than three years ago because their habitat, sea ice, is shrinking from global warming.

In a letter to Boxer, Kempthorne said he "respectfully" declined her invitation to appear at the hearing, since he is a named defendant in a lawsuit over the polar bear listing filed by an environmental group.

Boxer said she was especially troubled because the administration did not hesitate to open a major bear habitat to oil leases. The Interior Department opened a large area of the Chukchi Sea to oil and gas leases in early February, despite sharp criticism from environmentalists who note that one-fifth of the Arctic's polar bears depend on sea ice in their hunt for food.

"There's a rush to drill, and no rush to list" polar bears as threatened, Boxer said.

Oil spill concerns raised

Witnesses who did make it to the hearing said that given current projections on climate change, greenhouse gas emissions and oil and natural gas leasing rights, the polar bear population could be just two-thirds of today's numbers by 2050. And that does not account for any possible disasters in the area of their melting habitat.

For instance, a large oil spill could kill many of the animals, said Douglas Inkley, senior scientist at the National Wildlife Federation.

"The studies that have been done on the exposure of polar bears to oil have shown that it is basically fatal," he said, "not only because of hypothermia, but also because of the ingestion of some of the oil, the hydrocarbons, as they're trying to clean their fur."

"If a polar bear is soiled by an oil spill, it's not gonna be a polar bear much longer," Inkley said.

Critics say that listing polar bears as an endangered species would hamstring oil and gas exploration and development in the Arctic, and that the Fish and Wildlife Service, which is part of the Interior Department, isn't equipped to handle the duties that would go with the change.

"It's a professional wildlife agency, not an air-regulating agency," said William Horn, an attorney and former assistant Interior secretary for Fish and Wildlife in the Reagan administration.

[The hearing came as 18 states sued](#) the Environmental Protection Agency on Wednesday, alleging that it had failed to enact curbs on greenhouse gas emissions. The Supreme Court ruled last year that the EPA does have the authority to regulate greenhouse gases.

Decision by early summer?

Boxer said the Bush administration has had plenty of time to act to protect polar bears. "Two months ago, this committee heard testimony from legal and scientific experts about the consequences of melting polar sea ice

on the polar bear," she said.

"And sadly, despite the peer-reviewed scientific evidence; despite the opinions of scientists in our own government; despite the fact that we have a strong, successful law to protect imperiled species — the Endangered Species Act — the Bush Administration continues to break the law by failing to make a final decision to list the polar bear."

Sen. John Warner, R-Va., said he spoke with Kempthorne this week, and Kempthorne expects a decision on polar bears "before early summer."

The Associated Press contributed to this report.

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