

Native groups sue over polar bear critical habitat

May 14 2011, By RACHEL D'ORO , Associated Press

(AP) -- Alaska Native groups worried about losing tax revenues and royalties from oil development filed a lawsuit Friday challenging the federal government's designation of critical habitat for threatened polar bears on the state's oil-rich North Slope.

The Arctic Slope Regional Corp., North Slope Borough, Inupiat Community of the Arctic Slope and other groups took issue with the U.S. Fish and Wildlife Service's decision to designate more than 187,000 square miles - an area larger than California - as critical habitat for the bears, part of the recovery plan required by law for a species declared threatened or endangered.

The Department of the Interior is also named in the lawsuit, which says the government's designation "will not address the primary threat to [polar bears](#), the loss of [sea ice](#) due to climate change."

The [financial burden](#) of the designation to the state, the North Slope Borough and the Arctic Slope Regional Corp. - a regional Native corporation - could reach in the billions of dollars, plaintiffs said in a statement announcing the lawsuit.

Even a one-year delay in production for a fairly small [oil field](#) could mean losing millions in tax revenues and royalties, according to plaintiffs, who said Native stakeholders would be affected because the revenues are shared. ASRC and other regional Native corporations own lands affected by the designation, the lawsuit said.

"My biggest concern is how this will affect our communities and local economies," North Slope Borough mayor Edward Itta said in the announcement. "The only thing this designation accomplishes is to create another threatened species - the people who live here."

The [critical habitat](#) designation, announced last November, includes large areas of sea ice off Alaska's coast, including places where petroleum companies hope to drill in the Chukchi and Beaufort seas. The designation doesn't automatically block development but requires federal officials to consider whether a proposed action would adversely affect polar bear habitat and interfere with its recovery.

Polar bears were declared a threatened species in 2008 by the Interior Department under former President George W. Bush because of diminishing sea ice. Polar bears use sea ice to hunt and breed.

Environmentalists say polar bears need a reduction in greenhouse gases that cause climate warming. The [Fish and Wildlife Service](#) can address [climate change](#), attorney Rebecca Noblin of the Center for Biological Diversity said. The center and two other conservation groups last month filed to intervene in the lawsuits and Noblin said there were plans to intervene in the suit by the Native groups.

"Oil and gas development is an additional stress on polar bears," she said. "If we can minimize the impacts of oil and gas development, that gives struggling polar bears a better chance of surviving the loss of sea ice."

The Fish and Wildlife Service doesn't comment on active or pending litigation, agency spokesman Bruce Woods said.

Friday's suit follows federal lawsuits filed in March by the state and the Alaska Oil and Gas Association over the habitat designation.

The state also has challenged the designation of polar bears as a threatened species. That lawsuit, filed two years ago, is pending before a federal judge in Washington, D.C.

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