

April 6, 2007

Supervisor
US Fish and Wildlife Service
Marine Mammals Management Office
1011 East Tudor Road
Anchorage, AK 99503

RE: Comments in Opposition to the Proposed Rule to List the Polar Bear as a
Threatened Species, January 9, 2007 Federal Register Notice, 1064-1099

Dear Sir or Madam,

The National Rifle Association (NRA) appreciates the opportunity to comment on the proposed rule to list the polar bear as threatened throughout its range under the Endangered Species Act (ESA). The NRA is a non-profit organization representing nearly 4 million firearm owners, the majority of whom hunt. The NRA promotes hunting as a viable and necessary method of fostering the propagation, growth, conservation and wise use of our renewable wildlife resources.

The NRA is opposed to the listing of the polar bear as a threatened species because the Fish and Wildlife Service (Service) has not identified threats that will likely occur to the species in the foreseeable future. And the threats the Service identifies cannot be addressed within its authority or that of ESA so a listing as Threatened would not enhance the survival of the species. Rather, the NRA is concerned that a listing will instead be detrimental to huntable populations of polar bears.

The listing will knock out the underpinnings of conservation programs and research in Canada that are keeping populations of polar bears at healthy and sustainable levels. It will cause a decline in those Canadian populations of polar bears that have benefited from conservation programs funded by revenues from hunting, revenues largely generated from United States hunters. The Northwest Territories and Nunavut of Canada manage in whole or in part 13 of the 19 polar bear populations worldwide, 6 of which have been approved by the Service for trophy imports because they are hunted in a manner that maintains the populations at sustainable levels.

As the Service knows, an ESA listing will mean that permits cannot be issued for United States hunters to import polar bear trophies from Canada because the listing will cause the populations to be treated as "depleted" under the Marine Mammal Protection Act. It is unlikely that our hunters will pay the substantial fees to hunt polar bear if trophies cannot be imported into the United States. Thus, an ESA listing cannot provide an exception for regulated sport hunting and so it closes off a significant source of conservation dollars that have contributed to the health of these Canadian polar bear populations. And it does so in light of the fact that regulated hunting is not a threat to the future survival of the species in the United States, Canada or worldwide.

We do not believe that ESA was designed to list species whose future status is foretold by events that may occur 45 years from now, and events that will be subject to change from the day the listing is made. The threats are not known well enough to declare that they will likely result in the extinction of the species in the next 45 years. We also question the wisdom and legality of using ESA as a tool to protect the future health and

viability of a species when the threats are not within the Act's purview or the Service's authority or ability to address.

The causes of climate change are not isolated to activities within the borders of the United States, but are global in nature. The proposed rule does not explain how listing will give the Service the tools it needs to address the loss of sea ice (habitat loss) that is being associated with global warming. The Service cannot develop a recovery plan that can realistically put conservation measures in place for the species protection and restoration by preventing the kind of habitat loss predicted. The announcement of the proposed listing may have helped to shine the spotlight on the emerging public concerns about global warming, but the listing will have little to do with protecting polar bears within the United States or worldwide from the catastrophe that global warming is predicted to inflict.

The NRA does not believe a sound, scientific case has been made for imminent endangerment of the species worldwide. At most, a final rule making should only list those discrete populations of polar bear where biological data can demonstrate that they are threatened with extinction by effects that can be predicted with clear certainty in the foreseeable future (and not over 4 decades into the future).

In conclusion, the proposed rule seeks to list the polar bear based upon threats that are beyond the Service's authority and control to address, especially in a recovery plan. At the same time, a listing will sacrifice those conservation programs that continue to prove themselves as positive tools in conserving polar bear populations. Unless the Service were to find a way to prevent the listing from closing the United States borders to the importation of Canadian polar bear trophies lawfully taken, the NRA stands opposed to the listing because it will impose unjustifiable restrictions on our hunters.

Sincerely,

Susan Recce
Director
Conservation, Wildlife and Natural Resources