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## Reissuance of Interim Special Rule for the Polar Bear

The U.S. Fish and Wildlife Service (Service) today announces a notice that codifies the November 18, 2011, court-ordered reinstatement of an interim final special rule governing management of polar bears under the Endangered Species Act (ESA). In its ruling, the court stated that the Service was required to review potential environmental impacts of its December 16, 2008, final special rule for the polar bear under the National Environmental Policy Act (NEPA), and that the May 15, 2008 (73 FR 28306), interim final special rule will be in effect until this is done.

The reinstated interim final special rule is substantially similar to the final special rule. In most cases the rule adopts the conservation regulatory requirements of the Marine Mammal Protection Act (MMPA) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) for the polar bear as the appropriate regulatory provisions for the species. Which means that any activity that is already permitted or exempted under the MMPA or CITES does not require additional authorization under the ESA. The rule applies the standard ESA protections for threatened species when an activity is not covered by an MMPA or CITES authorization or exemption. It does not alter the Section 7 consultation requirements of the ESA.

The interim final special rule does not affect the critical habitat designation for the polar bear that became effective January 6, 2011 (75 FR 76086, December 7, 2010). Moreover, this rule will not affect the status of the polar bear under State laws or suspend any other legal protections provided by State law.

The interim final special rule will publish in the *Federal Register* on January 30, 2012, and have an immediate effective date. It will be available online at: <http://www.regulations.gov>. For more information on the interim final special rule and other issues on polar bear conservation, please visit <http://alaska.fws.gov/fisheries/mmm/polarbear/esa.htm>.

The ESA provides a critical safety net for America's native fish, wildlife and plants. The Service works to actively engage conservation partners and the public in the search for improved and innovative ways to conserve and recover imperiled species. To learn more about the Endangered Species Program, visit <http://www.fws.gov/angered/>.

*The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. We are both a leader and trusted partner in fish and wildlife conservation, known for our scientific excellence, stewardship of lands and natural resources, dedicated professionals, and*

*commitment to public service. For more information on our work and the people who make it happen, visit [www.fws.gov](http://www.fws.gov). Connect with our [Facebook page](http://www.facebook.com/usfws) at [www.facebook.com/usfws](http://www.facebook.com/usfws), follow our [tweets](http://www.twitter.com/usfwshq) at [www.twitter.com/usfwshq](http://www.twitter.com/usfwshq), watch our [YouTube Channel](http://www.youtube.com/usfws) at <http://www.youtube.com/usfws> and download photos from our [Flickr page](http://www.flickr.com/photos/usfwshq) at <http://www.flickr.com/photos/usfwshq>*

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