Habitat protection proposed for endangered Cook Inlet beluga whale

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THE United States federal National Marine Fisheries Service (NMFS) today took an important step toward protecting critical habitat under the Endangered Species Act (ESA) for the Cook Inlet beluga whale in Alaska by proposing to designate more than 3,000 square miles of the endangered whale’s habitat for protection.

The overdue proposal comes after a 2007 petition by various local and national groups to NMFS to list the beluga under the ESA, and on the heels of a formal notice of intent to sue by the Center for Biological Diversity.

Once habitat is designated, federal agencies are prohibited from taking any actions that may “adversely modify” it. Species for which critical habitat has been designated have been found to be more than twice as likely to be recovering, and less than half as likely to be declining, as those without it.

“NMFS has clearly relied on the best available science to identify and designate the habitat needed to give the Cook Inlet beluga whale a fighting chance at survival,” said marine mammal biologist Craig Matkin, Executive Director of the North Gulf Oceanic Society.

In October 2008, NMFS listed the whale as endangered over the objections of then-governor Sarah Palin. The listing occurred following petitions and litigation by the Center for Biological Diversity (CBD) and local and national organizations. However, rather than designate critical habitat for the beluga at the time of listing as required by the Endangered Species Act, NMFS deferred habitat protection for a year. That year came and went with no action by NMFS, and on October 29, 2009, CBD formally notified the agency that it would file a lawsuit to force the overdue designation.

“If we quickly act to designate and protect the critical habitat of the Cook Inlet beluga, this highly imperiled whale has a real chance of recovery,” said Rebecca Noblin, attorney at the Center for Biological Diversity’s Anchorage office. “A species as critically imperiled as the Cook Inlet beluga whale should not have to endure further delay before its habitat is truly protected.”

Today’s proposal triggers a public comment period and likely public hearings before the rule is finalized and takes legal effect.

“Cook Inlet beluga whales are one of the most endangered populations of marine mammals in the world,” said Taryn Kiekow, staff attorney with the Natural Resources Defense Council’s Marine Mammal Protection Project. “The decision to designate critical habitat is long overdue and absolutely necessary to preserving and protecting this unique population from further harm.”
The Cook Inlet beluga whale is a genetically distinct and geographically isolated population whose numbers have plummeted in recent decades. Recent surveys show the Cook Inlet beluga whale’s population now hovers between 300 and 400 animals, down from an estimated population of approximately 1,300 whales in the 1980s. The Cook Inlet beluga whale is one of five populations of beluga, or white whales, in Alaska.

“Historic data shows that ESA listings and healthy economies go hand in hand, said Toby Smith, Executive Director of the Alaska Center for the Environment. “This habitat designation will bring about the balance we need to promote truly responsible development while protecting one of Alaska’s most popular wildlife icons.”

The original decline of the Cook Inlet beluga was likely caused by unregulated harvests, but the population has failed to rebound since hunting was curtailed in 1999, indicating that other factors likely are interfering with its recovery.

Cook Inlet is the most populated and fastest-growing watershed in Alaska, and is subject to significant offshore oil and gas development in beluga habitat. Additionally, other sources will require heightened attention, including polluted runoff and sewage, noise, the proposed Knik Arm Bridge, the Port of Anchorage expansion, the proposed Chuitna coal strip mine and the proposed export facility for the Pebble mine.

“Today’s proposal is an important step toward embracing science and not politics to protect the Cook Inlet beluga, but protections for the whale remain far from complete,” said Bob Shavelson, Executive Director of Cook Inletkeeper. “Now NMFS needs to prepare a recovery plan and start to seriously scrutinize activities that destroy beluga habitat.”

In January 2009, former governor Sarah Palin announced the state of Alaska would sue the federal government to overturn endangered species protections for the beluga. While her successor has shown a similar hostility to science-based habitat protection, the state has yet to file a lawsuit.

“It makes little sense for the State to waste public dollars trying to fight the science that supports the beluga habitat designation,” Noblin said. “If the state wants to act in the best interests of Alaskans, it will work to safeguard Cook Inlet, which will not only protect the beluga whale, but the whole ecosystem, including the fish and fisheries that depend upon it.”