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Group threatens lawsuit to protect ice seals

By **DAN JOLING**
Associated Press Writer

ANCHORAGE, Alaska - An environmental group will sue the federal government to force a decision on additional protections for Arctic seals.

The Center for Biological Diversity on Monday sent notification of its intention to sue to the National Oceanic and Atmospheric Administration because the agency missed a deadline required by law for an endangered species listing decision on ringed, bearded and spotted seals. A 60-day notification letter is required before a lawsuit can be filed.

The group in May 2008 petitioned to protect the Arctic seals because of threats to their habitat - sea ice - from global warming and petroleum development. Rebecca Noblin in the group's Anchorage office said immediate action is needed to address warming.

"An entire ecosystem is rapidly melting away," she said.

In September, the agency found that the three seals may deserve Endangered Species Act protection. However, the agency missed the one-year deadline for a decision on listing, Noblin said.

Kaja Brix, director of protected resources for NOAA Fisheries

in Alaska, said from Juneau the agency hopes to have a decision in a couple of months.

"We have quite a bit of information to go through and we have not been able to do that in the timeline that was originally set out by the petition," Brix said.

"It was just a matter of getting the analysis done in a way that would be comprehensive," she said. "There wasn't quite enough time to do that."

All three seals live in the Bering, Chukchi or Beaufort seas off Alaska's western and northern coasts.

Arctic sea ice last summer dropped to the second-lowest level since satellite measurements began in 1979. The record low, set the year before, was 1.65 million square miles. Most climate modelers have predicted a continued downward spiral in summer sea ice.

Ringed seals are the primary prey of polar bears, which were listed as threatened a year ago because of shrinking ice habitat.

Ringed seals are the only seals that can live in completely ice-covered waters. They use stout claws to dig and maintain breathing holes. They excavate snow caves on sea ice to provide insulated shelters for themselves and their pups.

Early breakup of sea ice threatens lairs during critical rearing periods when pups are too young to survive in water, according to the group. Warming can expose lairs and make pups vulnerable to predation by polar bears and Arctic foxes.

Bearded seals give birth and rear their pups on drifting pack ice over shallow waters where prey is abundant. The retreat of sea ice away from shallow shelves decreases food availability, Noblin said.

Spotted seals use the edge of sea ice far from predators to give birth and nurse pups. Loss of sea ice and early ice breakup threaten their ability to rear young, according to the listing petition.

Seals also face threats from increased oil and gas development and the proliferation of shipping routes in an increasingly ice-free Arctic, according to the group.

The Center for Biological Diversity filed the listing petition for polar bear because of their dependence on sea ice. The group also petitioned to list Pacific walrus and ribbon seals.

The Bush administration denied listing of the ribbon seal in December, a decision which the Center will challenge in court. A decision on the walrus petition is due Sept. 10.