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State of Alaska Disappointed in Federal Listing of Cook Inlet Belugas, Citing Concern for Jobs and Families

October 23, 2008, Anchorage, Alaska - Governor Sarah Palin today stressed concern about the economic impact of Friday's decision by the National Oceanic and Atmospheric Administration (NOAA) to list beluga whales in Cook Inlet as an endangered species under the federal Endangered Species Act (ESA).

"This listing does not provide additional protection for the whales beyond what already exists under the Marine Mammal Protection Act and will require lengthy consultation for many activities now taking place or being planned in Cook Inlet," said Commissioner of Fish and Game Denby Lloyd.

"We are concerned for the health of this small population of whales," said Governor Palin. "We want to make sure that whatever is done to help them recover does so without creating a burdensome and unnecessary bureaucracy that will limit activities in Cook Inlet." A listing of endangered under the ESA requires designation of critical habitat, a recovery plan, and a review of all federally funded or permitted activities in Cook Inlet that might affect the whales.

This decision could have negative impacts on industries and development in and around Cook Inlet. Oil and gas development, commercial fishing, port construction, and many other projects could be affected and subject to delays and additional costs. The State of Alaska shares the concerns expressed by local governments and groups about the effect this listing will have on the local economy and will work with National Marine Fisheries Service as they consider designation of critical habitat to ensure these concerns are addressed.

Attorney General Talis Colberg said the state has not ruled out a legal challenge to the listing. "We disagree with the decision to list a species that is stable or increasing when NOAA has not analyzed its data on beluga calf populations or given the harvest restrictions time to work. It is especially troubling because NOAA's own models show only a 1 percent chance that the whales may go extinct within 50 years."

The State of Alaska advocated for protection under the Marine Mammal Protection Act (MMPA) for the whales, and state biologists who have analyzed the available data believe that the restrictions in place under MMPA are working.

Between 1994 and 1999, the estimated population of belugas in Cook Inlet declined from about 650 to about 350. Both state scientists and NOAA agreed that the primary cause of the population decline was the unregulated subsistence harvest, estimated at between 166 and 338 whales.

In response to a state petition, NOAA limited the harvest severely in 2000, designating the population as "depleted" under the MMPA. A depleted designation allows the NMFS to manage the subsistence harvest at sustainable levels through cooperative agreements with Alaska Native Organizations.

It was expected that harvest restrictions would take time to show effects due to the slow reproductive cycle of belugas. "NOAA's own counts of belugas in Cook Inlet indicate that the species has been increasing since 2005," said Doug Vincent-Lang, ESA Coordinator for the Alaska Department of Fish and Game. "This is what we expected would happen starting six to seven years after the harvest was cut."

Since 2005, NOAA's counts show an increase of more than 30 percent in the population, from 278 to 375. In addition, Vincent-Lang said, a critical piece of information in assessing the potential for an increase in abundance is an estimate of the belugas' population age structure. "NOAA has done counts of beluga calves for several years, but has not yet analyzed the data. These counts need to be analyzed to increase our

understanding of the factors that may be influencing survival and reproduction and the whales' potential rate of recovery."

Additionally, the listing decision is based on the assumption that the Cook Inlet beluga whales are a distinct population segment that does not mix with other stocks of belugas. Scientific analysis to determine whether this assumption is correct has not been completed, and should include the best available information.

Attorney General Talis Colberg said he will consult with Governor Palin to review the state's legal options.

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