

COMMITTEE ON ARMED SERVICES

COMMITTEE ON
COMMERCE, SCIENCE, AND TRANSPORTATION

COMMITTEE ON VETERANS' AFFAIRS

United States Senate

WASHINGTON, DC 20510

Statement of U.S. Senator Mark Begich
Cook Inlet Beluga Whale Critical Habitat Public Hearings
Soldotna, February 3, 2010 and Homer, February 4, 2010

I am pleased to join other Alaskans to express my views on the proposed designation of Critical Habitat for the endangered Cook Inlet beluga whale. Public comment on this proposed designation is an important element in the public process and I'm pleased that NOAA has acted on the Alaska Congressional Delegation's request to extend this comment period and add public hearings. I will be submitting formal comments, but this represents my general observations about the designation of beluga whale critical habitat in the Inlet which has the potential for major economic consequences to Alaska's population center.

The Cook Inlet beluga whale holds a special place in the hearts of Alaska's residents, 80 percent of whom live along the Inlet or are dependent on commerce that moves through the Inlet. NOAA's scientists tell us this subgroup of beluga whales is unique to the Inlet, that their population is threatened, and they are deserving of special protection. NOAA's listing of this stock as endangered under the Endangered Species Act in October of 2008 is still the subject of controversy. Once the agency has made this finding, it must act to designate the whale's Critical Habitat. This information will be used by NOAA to identify and protect areas most important for the animal's ongoing conservation and recovery. Importantly, NOAA will be consulted by other agencies every time federal projects are proposed in the Inlet. This includes bank restorations, bridges, port repairs and expansions, sewer projects, and military activities. Projects that are identified as occurring in critical habitat will have a higher level of scrutiny.

My concern is that NOAA lacks both a full understanding of where critical habitat is located and what the benefits and costs are to designating this habitat. This is important for two reasons: first, we don't want to have added costs of mitigating impacts of coastal projects if the habitat is not essential for the whales' recovery and second, the Endangered Species Act allows for a special exemption from a critical habitat designation in special cases where the benefits from excluding an area outweigh the benefits gained to the animal. I'm concerned that NOAA has not done the necessary heavy lifting to analyze the economic impacts of this designation. The existing draft economic analysis cites the added costs for evaluating future project impact mitigations in the Inlet based on this Critical Habitat designation at a mere \$575,000. This low amount seems unrealistic.

The Port of Anchorage is essential for the economy of our state, handling about 90 percent of all goods arriving to Alaska. Although the Endangered Species Act provides for Critical Habitat exemptions in cases of national security, NOAA has not provided an analysis of the Port's status as one of only 16 National Strategic Seaports vital not only to Alaska's five military bases, but also to the security of our country. At the least, I encourage NOAA to state outright in the designation that the Port's current biological finding of no impact on the beluga population will continue.

I am convinced we can work together to recover this whale in ways that don't place unnecessary constraints on development in the Inlet. If Alaskans believed that designating 3,000 miles of Critical Habitat would only result in \$575,000 of added cost, many would gladly chip in and pay the bill. Our experience with the Endangered Species Act tells us that this just isn't the case. I call on NOAA to take serious stock in the comments you will receive from Alaskans on all sides of this issue. We need to develop a designation that leads to the recovery of the beluga whale and makes sense to Alaskans.