

RESOURCE DEVELOPMENT COUNCIL

Growing Alaska Through Responsible Resource Development

June 1, 2004

Ms. Kaja Brix
 Assistant Regional Administrator
 National Marine Fisheries Service
 Box 21668
 Juneau, Alaska 99802
 Fax: 907-586-7012

Re: Cook Inlet Beluga whale conservation plan scoping comments

Dear Ms. Brix:

Thank you for the opportunity to submit general scoping comments on the development of the conservation plan for the Cook Inlet Beluga whale.

The Resource Development Council (RDC) is a statewide private economic development organization with the mission to grow Alaska's economy through responsible resource development. RDC's membership encompasses all of Alaska's basic industries — oil and gas, tourism, fisheries, mining and timber. Our membership also includes construction companies, labor organizations, Native corporations, local communities and a wide variety of industry support firms.

RDC participated in the initial scoping meeting the National Marine Fisheries Service (NMFS) hosted on May 25, 2004 on issues to be addressed in the conservation plan. We were disappointed NMFS did not make clear at the meeting that in the unique case of the beluga whale, the sole cause of the population decline — the subsistence harvest — is known. The co-management plan clearly addresses this issue and is working as intended thanks to the efforts of Native hunters and NMFS.

Continued management of the harvest is key to the beluga's recovery. There is no information, study or research to indicate that non-subsistence uses have impacted the beluga population or pose a threat to its recovery. In fact, state and federal water quality studies and NMFS research have largely ruled out exposure to pollutants as a factor in the decline of the beluga population. Monitoring efforts and other studies show no impacts to Cook Inlet from community or industrial development activities.

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Simply put, RDC does not believe there is a compelling need for NMFS to develop a conservation plan for the Cook Inlet Beluga whale. However, since NMFS has made clear its intention of moving forward with such a plan, we would like to make the following comments and recommendations.

First, it was wrong to imply at the May 25th meeting that because the beluga population has not yet begun a significant recovery, other elements beyond the Native harvest must be at play and will determine whether the stock will recover. This assumption is incorrect, especially since NMFS itself has emphasized the stock will likely take decades to recover.

Second, the May 25th meeting leaves one to conclude that comprehensive actions on other issues will likely emerge in the conservation plan, even though no studies or research have shown any link between these issues and the beluga's recovery. These actions could have widespread negative impacts to the economy and those who live in the Cook Inlet drainage with nominal or no benefit to the beluga population. Significant changes in the regulatory climate would not only drive up the cost of doing business, but also jeopardize new projects.

Third, there was no attempt by NMFS at the initial scoping meeting to prioritize the list of human factors potentially impacting the beluga's recovery, nor was there any effort to identify those factors having merit, and to eliminate any superfluous topics from consideration.

It is our recommendation that NMFS focus on issues and activities it determines are important factors promoting recovery. *Moreover, it is essential there be conclusive research establishing clear direct links between those issues and activities and the stock's recovery before any new regulatory action be considered.* Otherwise, comprehensive actions required under the conservation plan could create additional serious regulatory burdens to community and resource development activities in the Cook Inlet area while ultimately having little or no benefit to the beluga whale.

Finally, NMFS should not design a conservation plan around mere speculation. There is a substantial legal and administrative track record on the beluga issue. Agency and judicial determinations up to this point should serve as the foundation of the conservation plan as opposed to the agency starting from scratch. Decisions must be based on sound, peer-reviewed science that establishes clear links, as opposed to highly-speculative assumptions.

To conclude, the subsistence harvest plan and subsequent regulations are the best and most appropriate tools to make sure the recovery remains on track. Given time, RDC is confident the Beluga population will recover.

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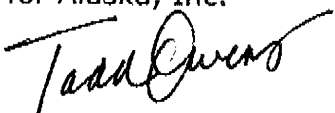
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Additional oversight and new costly permit stipulations of human activities such as shipping, oil and gas exploration and production, fishing and other regional commerce is not the answer to recovery. These activities are staples of the Cook Inlet economy and studies to date indicate they had nothing to do with the decline nor are they impeding the recovery. These activities do not occur in a regulatory vacuum, as they are strictly regulated under numerous state and federal environmental laws.

Thank you for the opportunity to provide comments on this important issue.

Sincerely,

RESOURCE DEVELOPMENT COUNCIL
for Alaska, Inc.



Tadd Owens
Executive Director

cc: Barbara Mahoney, NMFS