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Chief  
Marine Mammal Division  
Office of Protected Resources, NMFS  
1315 East-West Highway  
Silver Spring, MD 20910

Dear Chief:

On behalf of the Animal Protection Institute (API) and our 85,000 members nationwide, I am writing to support the proposed restrictions on the hunting of Cook Inlet beluga whales and to urge you to list the population as "endangered" under the Endangered Species Act (ESA).

I commend the NMFS for recognizing the commercial and unsustainable nature of the "subsistence-harvest" of Cook Inlet belugas by Alaskan Natives, and the need to protect this population by listing it as "depleted" under the Marine Mammal Protection Act (MMPA). While reducing the annual kill is undoubtedly the most important step in the recovery of the Cook Inlet population, we feel that an ESA listing will better protect this population by providing more comprehensive protection.

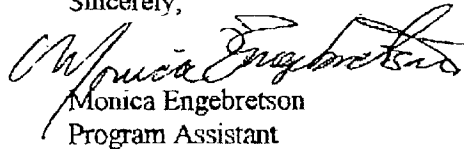
As you know, a "depleted" listing under the MMPA offers only limited protection, most of which is provided through the management of subsistence hunting. While subsistence hunting has been shown to be a major factor in the decline of the Cook Inlet beluga, it is only part of the puzzle. In May 1999 at the International Whaling Commission (IWC) meeting, former IWC chief Peter Bridgewater, stated that "Global Climate change, pollution, and the hole in the ozone layer are greater threats to the world's whale populations than whaling." At this meeting, the IWC voted for the first time to allocate funds to study the environmental threats over and above the harpoon. Of further concern, is the effect of increasing concentrations of chemical contaminants and heavy metals in the water column, sea-ice, sediments and whale prey species that may decrease immune response, as well as increase sterility, bacterial infections, and cancer in marine mammals and in humans who consume cetaceans.

Moreover, the Cook Inlet is a particularly vulnerable habitat that could easily become polluted, suffer from water flow diversion, or be altered or degraded by off-shore and coastal development. Of immediate concern is the active mineral lease located in the heart of the Inlet and the 58 known oil and gas contaminated sites within the Cook Inlet watershed of which ten are listed as "high priority" by the "Cook Inlet Keeper," a private non-profit watchdog organization. This information is particularly disturbing considering that 92% of the Cook Inlet watershed is public land and, as such, should be managed in accordance with the desires of a majority of Americans who support strong environmental protections for imperiled species.

Given the seriousness of environmental factors that are independent of subsistence whaling, strong protection is necessary. Because an ESA listing would include critical habitat designation and mandatory consultation with the NMFS before potentially harmful activities or projects proceed, it is the designation that would best ensure the survival of the Cook Inlet belugas. API urges the NMFS to keep in mind what is best for the Cook Inlet beluga and not to allow pressure from extractive commercial industries to jeopardize its recovery. In the interim, we encourage you to apply the full authority of the MMPA to ensure the whales' best opportunity for recovery should they achieve the much needed listing under the ESA.

I thank you for consideration of my comments on this issue that is of great importance to API, our members, and to many other Americans.

Sincerely,



Monica Engebretson  
Program Assistant  
Marine Mammals