



U.S. FISH AND WILDLIFE SERVICE

Region 7 - Alaska

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News

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USFWS Announces Proposed Incidental Take Regulations for Polar Bears and Pacific Walrus

In Alaska, the Marine Mammal Protection Act (MMPA) protects polar bears, Pacific walrus, and northern sea otters by prohibiting "take" of these animals. The MMPA provides for specific exceptions to the prohibition on non-lethal take, including a provision that allows U.S. citizens to take, through hazing and other non-lethal deterrents, small numbers of marine mammals incidental to specified activities.

The U.S. Fish and Wildlife Service's Alaska Region today announced proposed Incidental Take Regulations (ITRs) for the non-lethal, incidental take of small numbers of polar bears and Pacific walrus associated with ongoing oil and gas activities in the Chukchi Sea and adjacent western Coast of Alaska. A draft Environmental Assessment (EA) associated with these proposed regulations is also announced. A 30-day comment period will open on January 9, 2013 for both documents when they will be published in the *Federal Register*. If finalized these regulations are similar to those which have been in place since 1993, and have been successful in minimizing the effects of industrial activities on polar bears and walrus, while monitoring the levels of such interactions.

The oil and gas industry, through the Alaska Oil and Gas Association petitioned the Service to develop these Incidental Take Regulations. The action is specified under Sections 101(a)(5)(A) and (D) of the MMPA, which authorize the Secretary of the Interior to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals (including polar bears, Pacific walruses, and sea otters) by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region. Incidental Take Regulations can be issued for up to five years if the taking is limited to harassment.

Permissible methods of taking and other means of affecting the least practicable impact on the species or stock and its habitat, and requirements pertaining to the monitoring and reporting of such takings, are prescribed as part of the authorization process.

Where appropriate, ITRs can provide considerable conservation and management benefits to potentially impacted marine mammals. Activities authorized under ITRs must adopt measures to minimize any adverse impacts to marine mammals; their habitat, and their availability for Alaska Native subsistence use. ITRs also specify monitoring and reporting requirements which provide a basis for evaluating potential impacts of current and future activities on marine mammals. Without incidental take authorizations, commercial activities could still continue; however, the Service would have limited formal means of communicating with industry or have the ability to require monitoring and mitigation of specific activities; and any form of resulting "take" would be a violation of the MMPA.

You may submit comments on the proposed rule and associated draft EA during the 30-day comment period by one of the following methods:

U.S. mail or hand-delivery: Public Comments Processing, Attn: Docket No. FWS-R7-ES-2012-0043; Division of Policy and Directives Management; U.S. Fish and Wildlife Service; 4401 N. Fairfax Drive, MS 2042-PDM; Arlington, VA 22203.

Online via the Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments to Docket No. FWS-R7-ES-2012-0043. Please indicate to which document, the proposed rule or the draft EA, your comments apply. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us.

The public can view this proposed rule and the associated draft environmental assessment on January 9th on <http://www.regulations.gov> under Docket No. FWS-R7-ES-2012-0043. It can be accessed via the Federal Register reading room today (January 8) at http://www.ofr.gov/OFRUpload/OFRData/2012-31347_PI.pdf.

FOR FURTHER INFORMATION CONTACT: Craig Perham, Marine Mammals Management Office, U.S. Fish and Wildlife Service, Region 7, 1011 East Tudor Road, Anchorage, AK 99503; telephone 907-786-3800. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339, 24 hours a day, 7 days a week.

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. We are both a leader and trusted partner in fish and wildlife conservation, known for our scientific excellence, stewardship of lands and natural resources, dedicated professionals, and commitment to public service. For more information on our work and the people who make it happen, visit www.fws.gov. Connect with our Facebook page, follow our tweets, watch our YouTube Channel, and download photos from our Flickr page.

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