

THE ESA IN ALASKA

Doug Vincent-Lang

Alaska Department of Fish and Game

Senate Resource Hearing

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Listed as Endangered

- Short-tailed albatross - USFWS
- Eskimo curlew – USFWS (likely extinct)
- Aleutian shield fern - USFWS
- Steller sea lion (Western DPS) - NMFS
- Beluga whale (Cook Inlet DPS) - NMFS
- Bowhead whale - NMFS
- Fin whale – NMFS
- Humpback whale - NMFS
- Other rare species: North Pacific right whale, Blue whale, Sei whale, and the Leatherback turtle - NMFS



Listed as Threatened

- Spectacled eider - USFWS
- Steller's eider (AK breeding DPS) – USFWS
- Polar bear - USFWS
- Northern sea otter, southwest Alaska DPS - USFWS
- Ringed seals – NMFS
- Bearded seals - NMFS



Under Petition

- Yellow-billed loon – USFWS
- Pacific walrus – USFWS
- Southeast Alaska herring – NMFS
- Alexander Archipelago wolves – USFWS
- Great white sharks – NMFS
- Corals – NMFS
- Iliamna seals - NMFS
- Pinto abalone - NMFS
- More coming daily, stay tuned ...



Recent Listing Actions

- Eastern DPS Steller sea lions - delisted
- Kittlitz's murrelet - not listed
- Flying squirrels – not listed
- Queen Charlotte goshawk – AK population not listed
- Polar bear critical habitat designation - invalidated

*State data played a critical role
In these decisions*



State Involvement

- Polar bear recovery plan
- Cook Inlet beluga recovery plan
- Review of yellow-billed loon status review
- Development of Biological Opinions
- Research



Issues with ESA implementation in Alaska (and elsewhere)



Issue

Precautionary listings of species irrespective of current health or abundance based solely on models speculating possible extinction in the distant future.

Polar bear

Ringed seals

***This is an unprecedented federalization
of species and management
of their “take” based solely on
pre-cautionary principles***



Issue

Expansive designations of critical habitat that encompass any area potentially occupied by a species rather than those truly critical to the species survival

Polar bear

This needlessly federalizes broad areas of land/seascapes, often with little benefit to the species, and raises environmental justice and statehood issues



Issue

The Services routinely underestimates the costs of critical habitat designation.

Polar bear

Cook Inlet beluga

***Actual costs are significantly higher
and more impacting.***



Issue

States are not involved in the wide range of ESA decision processes.

Polar bear listing and critical habitat decisions

Steller sea lions biological opinion

Cook Inlet beluga

State expertise and best available science is not being used to inform a wide range of ESA decisions



Issue

Recovery goals are often set to fully recover a species rather than simply remove the risk of extinction and contain non-related “ecosystem” goals

Steller sea lions

Sea otters

Polar bear (under development)

Failure to attain such recovery goals are driving consultations and are having real impacts.



Issue

States are not allowed to fully participate in recovery plan development

Cook Inlet beluga

State expertise and best available science is being excluded and is not being considered



*What is the State's
approach to address
these issues?*



Working to Build Partnerships

Worked with the Western Governors Association to develop a policy statement.

Working with the Western Association of Fish and Wildlife Agencies.

Participating in a state-federal ESA Joint Task Force.

Working with Congress on identifying needed changes.



Legally Challenging Bad Decisions

- Polar Bear Critical Habitat
- Bearded seal listing
- Steller sea lion biological opinion
- Colville Delta litigation
- Joining other state challenges
- Considering challenging
 - sea otter critical habitat and recovery plan



Conducting State Research

We have a research program focused on collecting state science to inform federal agency decisions:

- Yellow-billed loons

- Pacific walrus

- Western DPS Steller sea lions

- Cook Inlet beluga

- Alexander Archipelago wolves

- Southeast Alaska herring

- Iliamna seals



Submitting Petitions to Delist Species

Submitted a petition that resulted in the delisting of the Eastern DPS of Steller sea lions.

Submitted a petition to delist the Central North Pacific DPS of humpback whales

Working on a petition to delist spectacled eiders

Considering a petition to delist bowhead whales

Considering a proposal to delist Western DPS Steller sea lions



SUMMARY

The precautionary listing of currently healthy species based solely on models speculating possible future impacts and associated expansive critical habitat designations represents an unprecedented federalization of species and their land/seascapes.

We must bring the Act back to its original intent.

This requires a multi-faceted, proactive and adaptive strategy.



Thank you
for your time and interest

