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## STORY

### Industry eyes newly designated critical habitat for right whale

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Article published on Wednesday, April 9th, 2008  
By RALPH GIBBS  
Mirror Writer

On Tuesday, the National Marine Fisheries Service published a new federal rule that will take effect May 8, designating critical habitat for endangered North Pacific right whale off the shores of Kodiak and in Bristol Bay.

Earlier last month, after a lawsuit by the Center for Biological Diversity, NMFS separated the right whale into three distinct species.

The action became effective on Monday.

As a consequence, NMFS is forced to come up with both a critical habitat area and a recovery plan for the North Pacific right whale.

"We proposed the same two areas that we had previously designated as critical habitat for the northern right whale in the North Pacific Ocean," NMFS said in their ruling document. "We now designate these same areas as critical habitat for the North Pacific right whale."

Already, their new habitat is under siege by a different agency of the federal government.

On the same day the NMFS rule was announced, the Minerals Management Service issued a notice of intent to prepare an environmental impact statement for possible future oil drilling in Bristol Bay, an area that includes a portion of the North Pacific right whale critical habitat.

The action is in keeping with the agency's plan to lease oil exploration contracts for Bristol Bay starting as early as 2011. The area had been protected from drilling since 1990, but the Bush administration lifted the ban last year.

The Bush administration's plan has already prompted the Center for Biological Diversity to sue to shut down the Bering Sea lease sale, and more suits are planned.

According to an MMS press release, the impact statement is the first step in this process, but not the final step.

"With this step MMS begins a more formal information gathering process and continues our process of consulting with local villages, interest groups, including environmental groups and industry," MMS director Randall Luthi said.

In a recent workshop held in Kodiak during ComFish, David Holt with Bodø University said energy resources in the basin may be worth \$37 billion over the next 30 years, although at today's prices it could be closer to \$150 billion.

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Luthi said he encourages all groups to provide extensive comments so they can provide a "comprehensive and thorough assessment of issues and concerns."

Officials with the Center for Biological Diversity wasted no time condemning the announcement.

"Unfortunately, for the right whale, it's one step forward and two steps back," said Brandon Cummings, oceans program director for the Center for Biological Diversity. "One branch of the federal government is acting to protect the critical habitat of the North Pacific right whale, while another branch is simultaneously proposing to destroy it."

Cummings said that in addition to being the home of the endangered North Pacific right whale, the North Aleutian Basin is an important habitat for the Pacific walrus, ribbon seals, humpback whales and numerous species of seabirds.

"It also supports some of the largest commercial salmon fisheries in the world," he said.

At the Kodiak workshop, Holt said the Bering Sea fishery, including pollock, cod, king crab, Tanner crab, salmon and halibut, are worth about \$2 billion annually.

The Center for Biological Diversity isn't the only conservation group coming out against the proposed action. The World Wildlife Fund also issued a statement condemning the action.

"Drilling for oil and gas in Bristol Bay risks polluting one of the most productive fisheries in the country and placing people's livelihoods in jeopardy," said Margaret Williams, managing director of World Wildlife Fund's Kamchatka/Bering Sea Program. "It is time for MMS to listen to sound science and halt this lease sale."

MMS said it considered the right whale habitat and other marine animals in the study.

"MMS and the National Marine Mammal Laboratory of the National Oceanic and Atmospheric Administration are collaborating to study the distribution, relative abundance and habitat use of the endangered North Pacific right whale in the Bering Sea and north of the Aleutian Islands," MMS officials said in their press release. "MMS is planning to begin three new studies in (fiscal year 2008) that will focus on subsistence activities, salmon life cycles and juvenile fish and settling behavior of the red king crab."

Cummings is doubtful.

"Drilling in Bristol Bay would be drilling through the heart of the most important habitat of the most endangered whale on the planet," Cummings said. "If the North Pacific right whale is to have any chance of survival, we must protect its critical habitat, not auction it off to oil companies."

The Associated Press contributed to this article.

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