

PRESS RELEASE

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Lawsuit Filed to Protect Endangered Whales Alaska's Cook Inlet Beluga Whale Protections Illegally Delayed

Washington, DC (June 30, 2008) – Today five conservation groups filed suit against the Bush administration over an illegal delay in listing the Cook Inlet Beluga whale under the federal Endangered Species Act. The suit, filed in federal court in Washington, D.C. by the Center for Biological Diversity, Cook Inletkeeper, Natural Resources Defense Council, North Gulf Oceanic Society, and the Alaska Center for the Environment, seeks to compel the administration to immediately make a final listing determination for the beluga.

“There is simply no lawful reason for further delay in protecting the Cook Inlet beluga whale,” said Vicki Clark, an attorney with Trustees for Alaska who represents the conservation groups in today’s suit. “If we don’t act soon we stand to lose this treasured part of Alaska’s and the United State’s natural heritage.”

The Cook Inlet beluga whale (*Delphinapterus leucas*) is a genetically distinct and geographically isolated population whose numbers have plummeted since the 1980’s when National Marine Fisheries Service (NMFS) scientists estimated the Cook Inlet beluga population numbered approximately 1,300 whales; the Fisheries Service’s most recent surveys show the whale’s population now hovers around 375 animals.

Following a 2006 petition from the conservation groups, NMFS proposed to list the Cook Inlet beluga as “endangered” in April 2007. By law the agency was required to finalize the listing rule no later than April 20, 2008. Instead, on April 22, 2008 NMFS announced that due to a “substantial disagreement” in the science it would delay the decision by six months. The federal Marine Mammal Commission has stated that the purported scientific disagreement is “not scientifically credible.”

“The experts agree – the science to list the Cook Inlet Beluga is clear,” said Bob Shavelson of Cook Inletkeeper. “The Palin Administration’s request for delay and the Bush Administration’s willingness to do so are not based in science but rather based on an ideology that always favors industry over the environment.”

Cook Inlet is the most populated and fastest growing watershed in Alaska, and subject to many development pressures from oil and gas production, sewage discharges, and contaminated runoff and spills, which potentially affect the beluga whale and its habitat. Furthermore, several massive infrastructure projects – including the proposed Knik Arm

Bridge, the Port of Anchorage Expansion, the Chuitna coal strip mine, and the Port MacKenzie expansion - will directly impact some of the whale's most important habitat.

"If the Cook Inlet beluga whale is to survive the coming decades it needs the protections that only the Endangered Species Act can provide," said Brendan Cummings, oceans program director for the Center for Biological Diversity and one of the lawyers filing today's suit. "It's simply unacceptable to sacrifice endangered whales on the altar of oil company profits."

The conservation groups filed a 60-day notice of intent to sue as required by the Endangered Species Act immediately after NMFS announced the delay in listing the beluga in April. Today's suit follows the running of the 60-day notice period. A copy of the complaint, notice letter, and other documents are available at www.biologicaldiversity.org.

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