



MARINE MAMMAL COMMISSION

7 May 2012

Mr. Jon Kurland, Assistant Regional Administrator
Protected Resources Division, Alaska Region
National Marine Fisheries Service
P.O. Box 21668, Juneau, AK 99802

Attn: Ellen Sebastian

Dear Mr. Kurland:

The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the special independent peer review (77 Fed. Reg. 20774) of the National Marine Fisheries Service's December 2010 status review of the bearded seal (*Erignathus barbatus*) under the Endangered Species Act. The Commission offers the following recommendations and rationale.

RECOMMENDATION

The Marine Mammal Commission recommends that the National Marine Fisheries Service proceed with the proposed listing of the Sea of Okhotsk and Beringia distinct population segments of the bearded seal as threatened under the Endangered Species Act.

RATIONALE

On 10 December 2010, the National Marine Fisheries Service made a 12-month finding and proposed to list the Beringia and Okhotsk distinct population segments of the bearded seal as threatened under the Endangered Species Act (75 Fed. Reg. 77496). Public comments on the associated status review revealed disagreement about the reliability of model projections and analysis of future sea ice habitat for the Beringia distinct population segment. The Service conducted a special independent peer review to address this disagreement and ensure that the final determination is based on the best scientific and commercial data available.

The Commission has reviewed the peer review report, which discusses the uncertainties associated with predicting the impact of climate disruption on bearded seals. Despite some differences of opinion on how well the status review captured the uncertainties, none of the peer reviewers identified any data, information, or models—beyond those already considered in the status review—that could better inform predictions of future sea-ice habitat and snow cover and their impact on bearded seals. These things we do know:

- Scientific information on the buildup of greenhouse gases dates back to the late 1950s.
- Serious debates about the need for action to address climate disruption began in the U.S. Administration in the early 1980s.

- Since then, neither the United States nor the global community has developed and implemented a meaningful approach to address climate disruption.
- The effects of climate disruption will continue for decades even if the global community were to bring the production of greenhouse gases under control in the near future.
- Over and over again, the adverse consequences of climate disruption are exceeding our expectations.
- The effects of climate disruption are expected to be greatest in the Arctic.
- The loss of sea ice habitat in the past three decades has been profound and far more rapid than anticipated. The existing evidence suggests that, within two to three decades, much of the Arctic will be ice-free for at least brief periods of time and the length of the ice-free period will continue to increase after that.
- Climate disruption also will lead to the development of other factors that will pose risks to Arctic marine mammals, including the bearded seal.
- At present, the United States does not have a clear strategy for dealing with the underlying causes of climate disruption and our approach—to the extent that we have one—relies heavily on the ability of species and ecosystems to adapt.
- Given the dependence of bearded seals on sea ice habitat, they may not be able to adapt to marked changes in Arctic habitat from climate disruption.
- Listing provides an incentive for the Service to develop a more aggressive research program and a proactive and precautionary approach to management of the bearded seal; such incentives have heretofore been lacking.
- If the Service waits until it has strong evidence that such species are threatened or endangered, it may be too late to implement the measures needed to ensure their persistence.

The Marine Mammal Commission finds no substantial new information in the peer review report that the bearded seal does not warrant listing. It therefore reiterates all of its recommendations of 23 March 2011 (enclosed). Specifically, the Marine Mammal Commission reiterates its recommendation that the National Marine Fisheries Service proceed with the proposed listing of the Sea of Okhotsk and Beringia distinct population segments of the bearded seal as threatened under the Endangered Species Act.

Please contact me if you wish to discuss the Commission's recommendation and rationale.

Sincerely,

A handwritten signature in blue ink that reads "Timothy J. Ragen". The signature is written in a cursive, flowing style.

Timothy J. Ragen, Ph.D.
Executive Director