Proposed Polar Bear Critical Habitat in the United States

Public Hearing
Anchorage, Alaska
15 June 2010

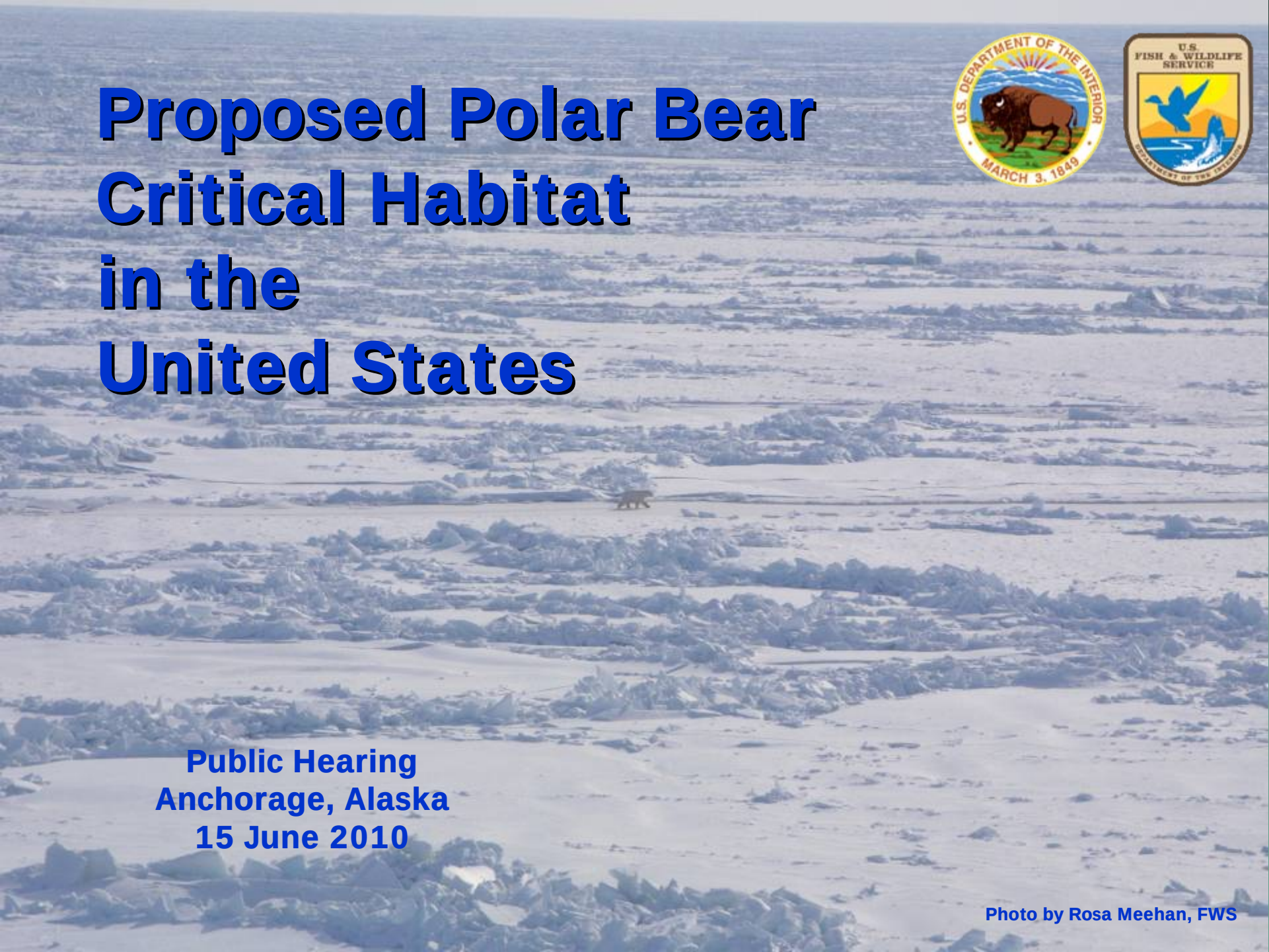
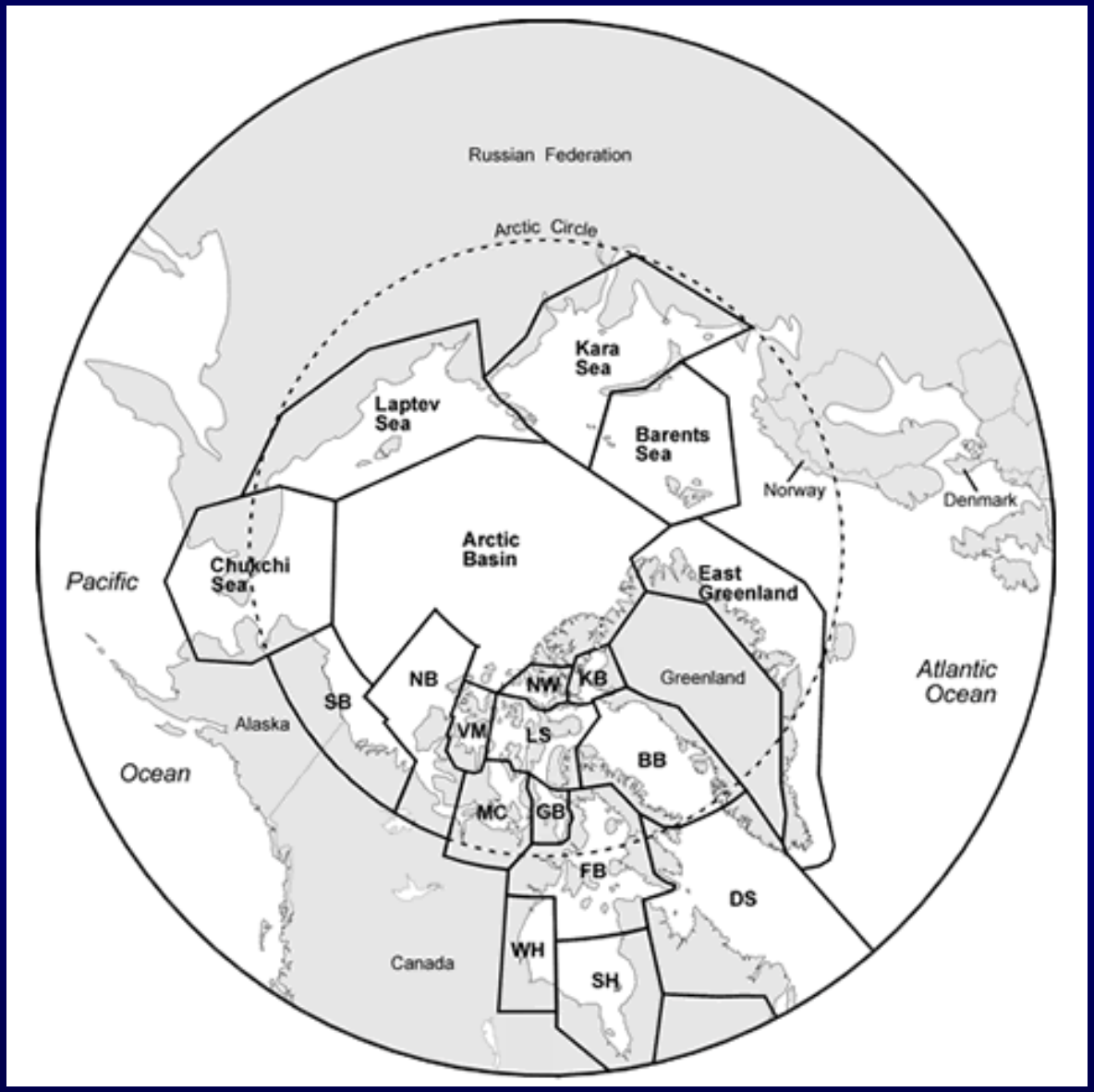


Photo by Rosa Meehan, FWS

Polar bear distribution in the Arctic



Distribution of Alaska Polar Bear Stocks
RUSSIA
ALASKA
CANADA
Beaufort Sea Stock
Chukchi/Bering Seas Stock

Critical Habitat is defined in section 3 of the Endangered Species Act as:

- The specific areas within the geographic area occupied by a species, at the time it is listed in accordance with the Act, on which are found those physical or biological features

  - ✓Essential to the conservation of the species and

  - ✓Which may require special management considerations or protection; and

- Specific areas outside the geographical area occupied by a species at the time of listing upon a determination that such areas are essential for the conservation of the species.

What Does a Critical Habitat Designation Mean:

- Identifies, to the extent known using the best scientific data available, habitat areas that provide essential life cycle needs of polar bears (areas on which are found the primary constituent elements, as defined at 50 CFR 424.12 (b)).

These include:

Primary Constituent Elements:

- (1) Space;
- (2) Food, water, air, light, minerals;
- (3) Cover or shelter;
- (4) Sites for breeding, reproduction, or rearing; and
- (5) Habitats that are protected from disturbance.

We are recommending:

- BARRIER ISLAND HABITAT
- TERRESTRIAL DENNING HABITAT
- SEA ICE HABITAT

Barrier Island Habitat

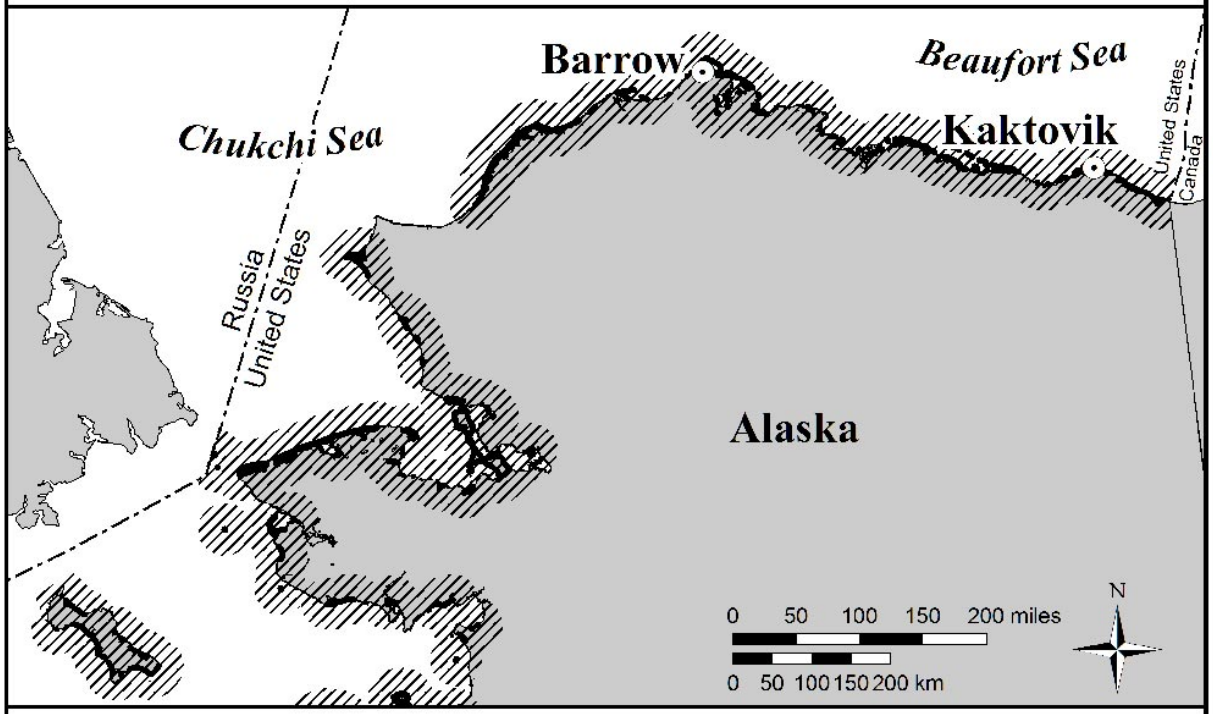
Barrier Island Habitat

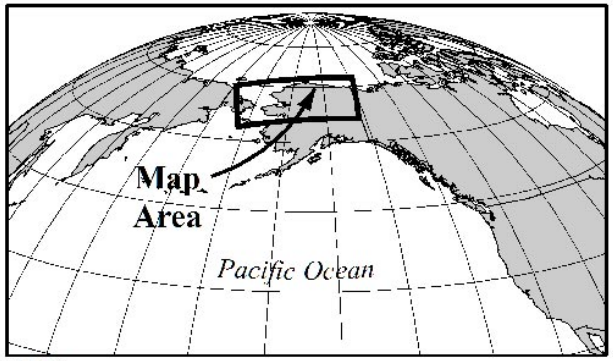
Conclusion:

- Within the range of the polar bear population the barrier islands are currently used for denning by pregnant females, as a place to avoid human disturbances, and to move along the coast to access den sites or preferred feeding locations.

- Therefore we believe that barrier island habitat, as undisturbed areas for resting, denning, and movement along the coast are essential to the conservation of the Alaska polar bear populations.

Unit 3: Barrier Island Critical Habitat of the Polar Bear *(Ursus maritimus)*





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Legend

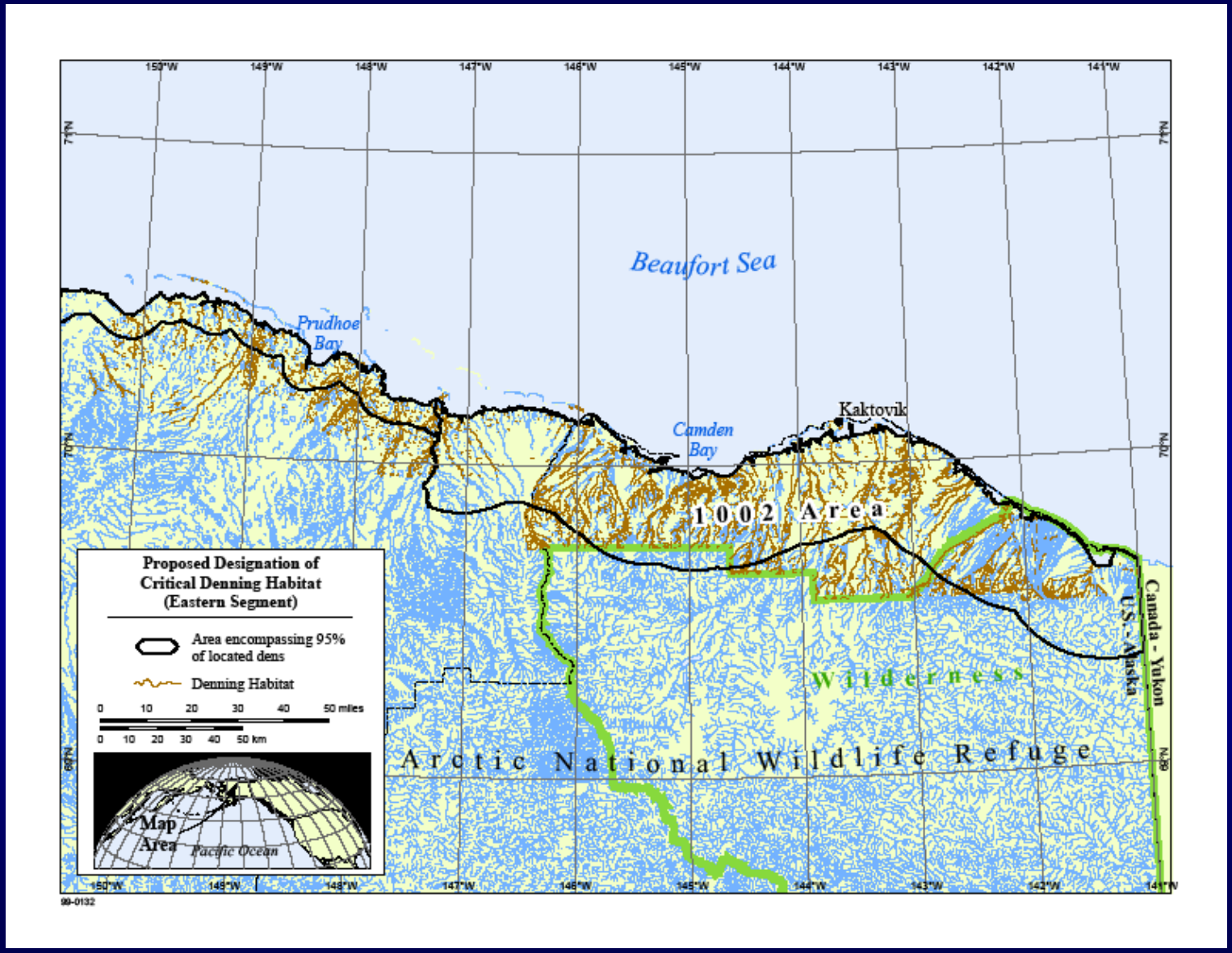
Unit 3 - Barrier Islands

Terrestrial Denning Habitat

Terrestrial Denning Habitat

Terrestrial Denning Habitat

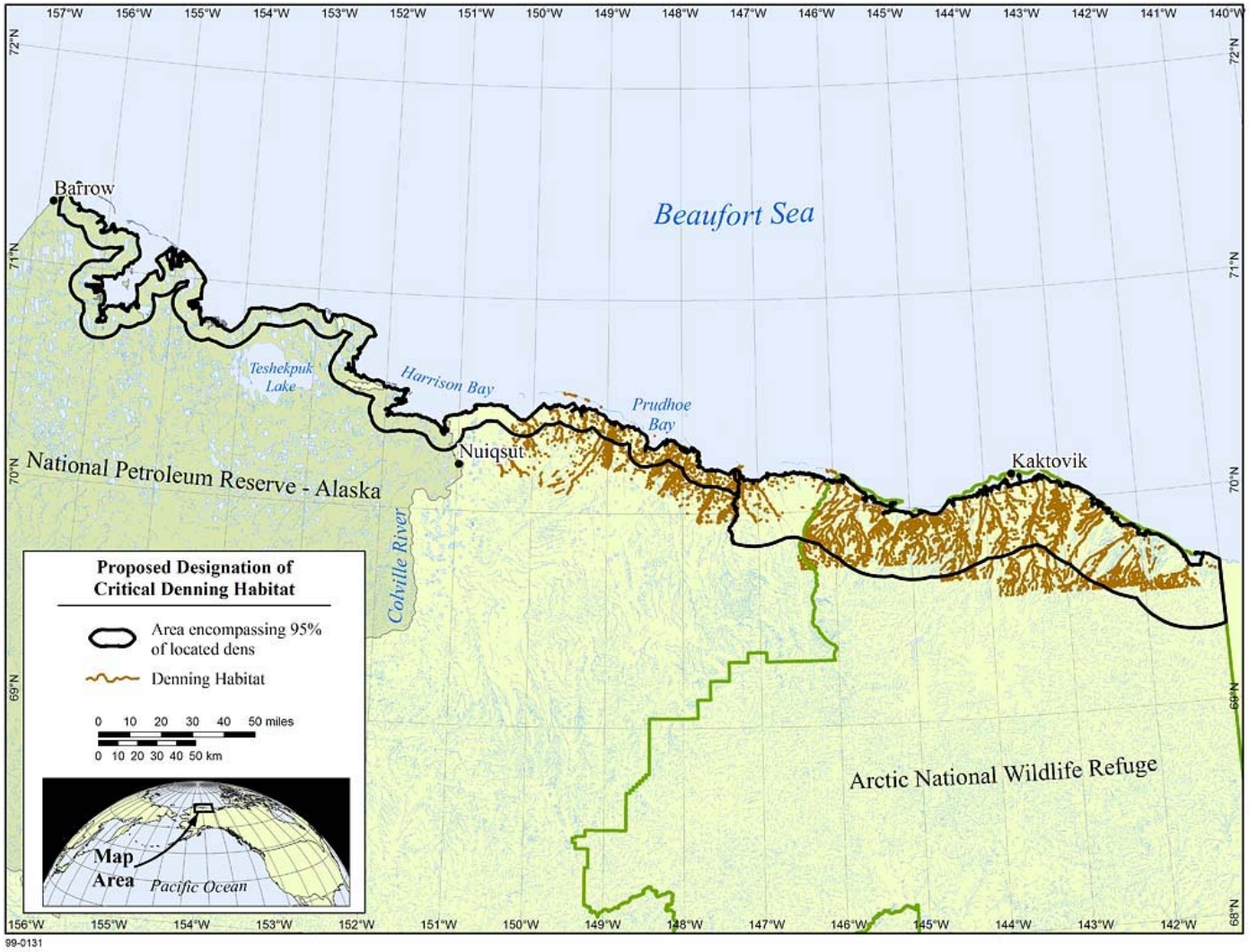
Proposed Critical Denning Habitat



Conclusion:

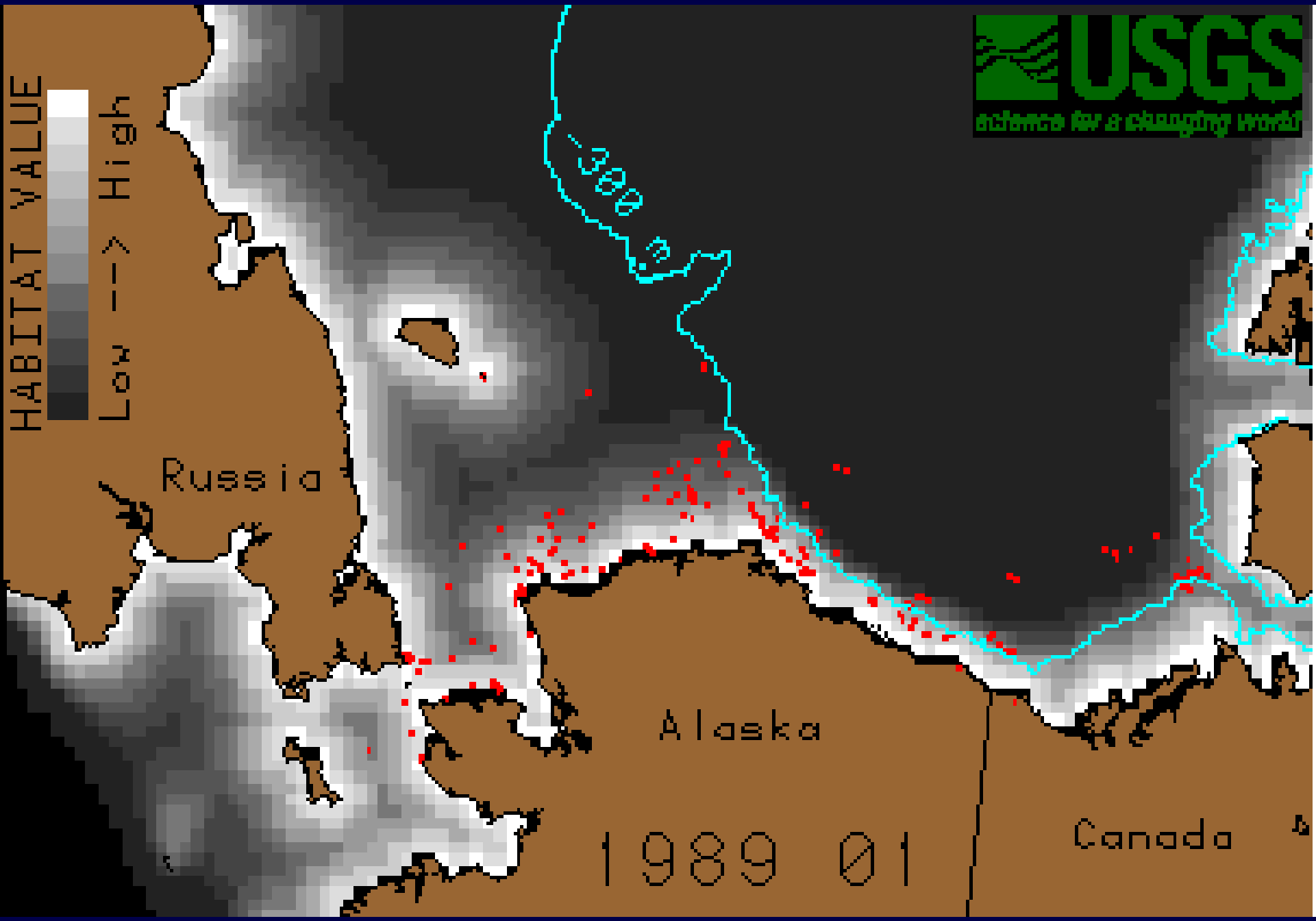
- Pregnant females strive to balance their nutritional demands before and after denning and select den locations that will provide a safe environment from adult males, disturbance, and adverse weather conditions for their cubs.
- The fidelity to general denning areas, loss of sea ice denning habitat, are likely to increase terrestrial denning.
- Therefore suitable terrestrial denning habitat located near the coast including the coastal barrier islands in northern Alaska are considered essential for the conservation of the species.

Proposed Critical Denning Habitat



Sea Ice Habitat

Sea Ice Habitat


HABITAT VALUE
Low --> High
Russia
Alaska
Canada
1989 01
USGS
science for a changing world

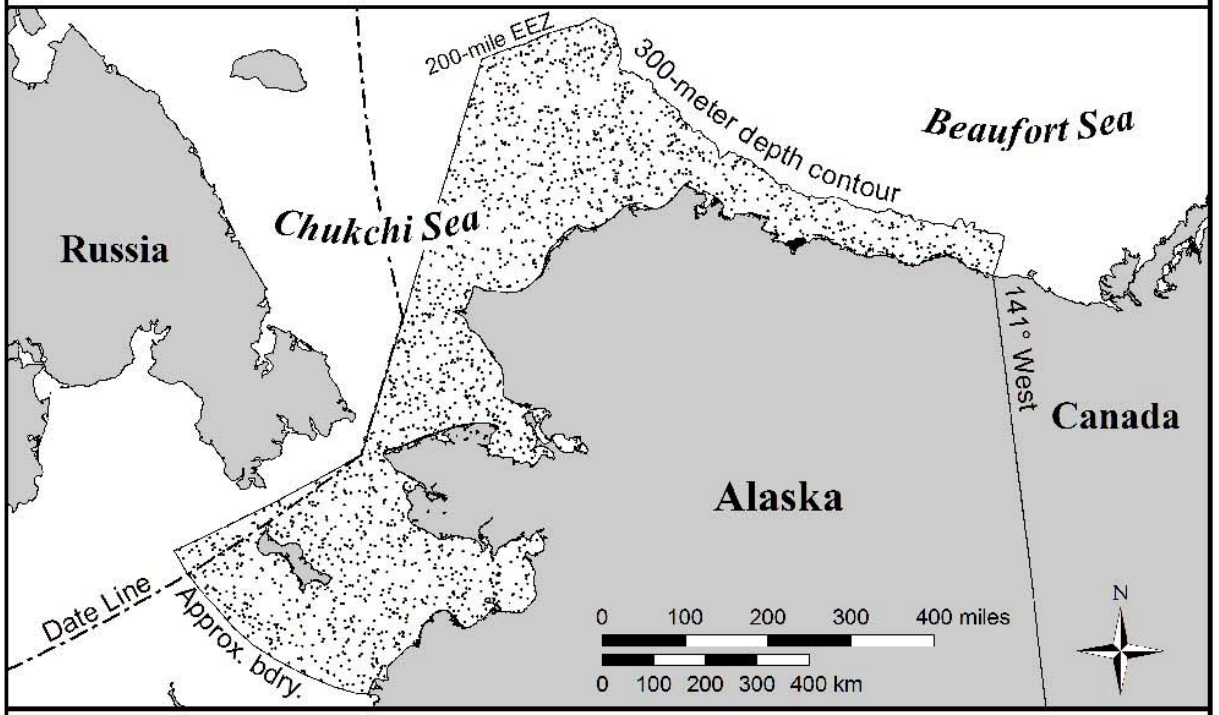
Conclusion:

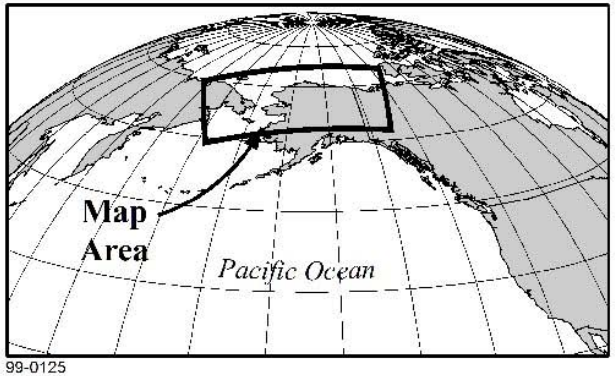
- Annually, all sea ice habitat that moves over the shallower waters of the continental shelf (≤ 300m) can be considered at some point critical habitat for polar bears in the Southern Beaufort and Chukchi/Bering Seas.

- Based on best science available, the accessibility and availability of sufficient food resources is dependent upon availability of suitable sea ice habitat over the shallower waters of the Chukchi/Bering Seas and Southern Beaufort Sea.

- Therefore, suitable sea ice habitat for feeding is considered a limiting factor and essential to the conservation of the Alaska polar bear populations.

Unit 1: Sea Ice Critical Habitat of the Polar Bear *(Ursus maritimus)*





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Legend

Unit 1 - Sea ice habitat

What Critical Habitat Designations Do Not Do:

- Affect anyone's right to defend their life against a polar bear.
- Designation of polar bear critical habitat will not affect the ability of Alaska Natives to harvest polar bears.

T.D. DeBruyn Photo

General Framework for DEA

Purpose: Provide information to assist the Service in making an informed decision regarding where "the benefits of exclusion may outweigh the benefits of inclusion."

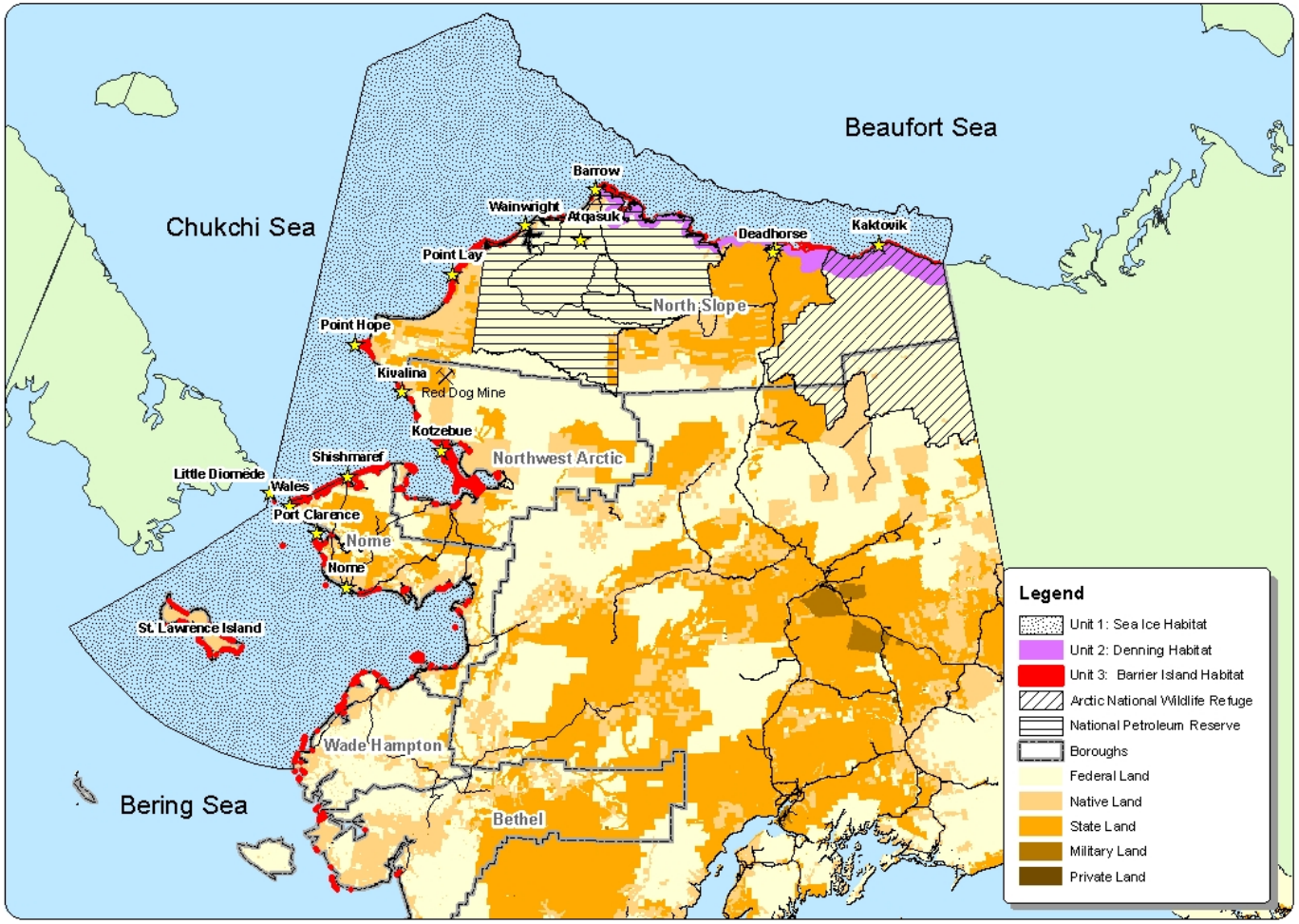
Baseline (without critical habitat): Qualitative discussion of existing protections already accorded the polar bear under existing regulations. Provides context for the incremental analysis.

Incremental (with critical habitat): The focus of the DEA is on describing, and quantifying where possible, changes in regulation and management of economic activities following the critical habitat designation. The DEA considers both **direct** (section 7 related) and **indirect** (other potential changes in behavior precipitated by the designation) incremental impacts.

DEA Study Area

187,166 square miles

- 95% sea ice habitat
- 3% terrestrial denning habitat
- 2% barrier island habitat



Activities Subject to the Analysis

- Oil and Gas Activities (includes exploration, development, production and associated infrastructure construction)
- Construction and Development (includes wind energy, commercial and residential development, transportation, and mining)
- Shipping and Transportation (focuses on the Northern Sea Route)
- Military Activities (includes U.S. Coast Guard and Air Force activities)

DEA Includes:

1. Forecast of scope and scale within proposed critical habitat
2. Description of baseline polar bear conservation actions
3. Analysis of incremental impacts

Key Issues and Conclusions

The DEA concludes that:

- **Critical habitat designation is not expected to result in changes to polar bear conservation requirements**. Strong baseline protection provided by Federal ESA threatened status and existing Marine Mammal Protection Act (particularly Incidental Take Regulations for oil and gas activities).

- **There will be limited direct economic impacts of CH.** CH designation is not expected to result in additional polar bear and habitat conservation requirements. Thus, the direct economic impacts are limited to administrative costs of section 7 consultations (approx. $54,000 per year).

Key Issues and Conclusions (cont'd)

- **The potential for indirect impacts of critical habitat is a major source of concern to landowners, industry, and stakeholders**. Concern that existence of critical habitat may be used in litigation to delay or stop oil and gas activities in the region.

- **Alaska Native subsistence activities are not affected by critical habitat designation.** These activities are exempt from regulation under ESA and MMPA.

- **No economic benefit of critical habitat designation.** Absent changes in polar bear conservation requirements, no economic benefits of critical habitat designation are expected.

Fish and Wildlife Service mission is work with others to conserve, protect, and enhance fish, wildlife, plants, and their habitat for the continuing benefit of the American people.

T. D. DeBruyn Photo