

Humpback Whale Status Review Update

November 2010

Background: Under section 4(a) of the Endangered Species Act and 50 CFR part 424 of National Marine Fisheries Service's (NMFS') listing regulations, NMFS makes determinations as to whether a marine mammal species should be listed as endangered or threatened, or whether it should be reclassified or removed from the List of Endangered and Threatened Wildlife and Plants (the List). Accordingly, NMFS is conducting a comprehensive evaluation of the status of humpback whales (*Megaptera novaeangliae*), currently classified as an endangered species, as the basis for considering revisions to this species listing status. The full status review will: (a) examine whether the recovery criteria have been met since the original status review was adopted, including a review of the five factors in the ESA and protective measures in place; (b) synthesize and analyze any new information on the species; and (c) evaluate best available science on breeding populations and analyze them for potential identification and designation of distinct population segments (DPS). Following the status review, NMFS will determine whether to identify DPSs and identify the listing status of those populations.

During 2010: NMFS convened a Biological Review Team (BRT) and used relevant biological information on humpback whales as the basis for any possible change to the status of humpback whales and/or segmentation into DPSs. The BRT is in the process of conducting its review of the status of humpbacks, and is expected to provide a status review report to NMFS in early 2011. The status review will be peer reviewed. (Note: to comply with the Federal Advisory Committee Act (FACA), BRT members must be federal, state or tribal employees.)

During the winter of 2010/2011: Based on the BRT's findings, NMFS will consider separating the species into DPSs, and as appropriate, consider changing the listing status, if warranted, of one or more of the humpback whale populations. NMFS will ultimately finalize the revised humpback status review and draft the proposed and final rules for delisting or downlisting, if divisions or change in status are appropriate.

Goals: The goal of the status review is to assess the biological status of humpback whales globally. NMFS leadership will use this review to consider possible division of the global humpback population into Distinct Population Segments (DPS), and based on the biological status of those DPSs, make recommendations for identifying the listing status of each specific DPS of humpback whales as consistent with the intent of the ESA.

Status Review Team:

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