



MARINE MAMMAL COMMISSION

10 March 2017

Ms. Ellen Sebastian
National Marine Fisheries Service
Protected Resources Division, Alaska Region
709 West 9th Street
P.O. Box 21668
Juneau, AK 99802

Dear Ms. Sebastian:

The Marine Mammal Commission (the Commission), in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the Draft Arctic Marine Mammal Disaster Response Guidelines (Guidelines). The Commission also has reviewed the National Marine Fisheries Service's (NMFS) 11 January 2017 notice of availability (82 Fed. Reg. 3293) summarizing the process used to develop the disaster response guidelines and its contents.

The Arctic region presents several unique challenges to responding to a disaster situation involving marine mammals. Those challenges include the remoteness of the region, a lack of locally available equipment and trained personnel, long distances to transportation hubs, minimal infrastructure, severe weather conditions, and less than reliable communication (phone and internet) services. Challenges also include the dependence of local Alaska Native communities on the legal harvest of marine mammals for subsistence and cultural purposes. An oil spill or similar disaster could threaten the lives of marine mammals and also the livelihoods of the Alaska Native communities that depend on them. Guidelines that specifically address infrastructure, personnel, communication, and food security issues in the Arctic would ensure that responders are attentive to these challenges.

The Commission has reviewed the draft Guidelines and finds them to be comprehensive and well-conceived. They expand on the information provided in the Wildlife Protection Guidelines for Alaska (Annex G of the Alaska Federal/State Preparedness Plan for Response to Oil and Hazardous Substance Discharges/Releases, also known as the Unified Plan), which describe the basic authorities, roles, and responsibilities for federal and state agencies in the event of an oil discharge in Alaska. The draft Guidelines provide additional procedures that should be used by the Alaska marine mammal stranding network, Alaska Native communities, and other key stakeholders, in coordination with federal and state agencies, to protect, rescue, and rehabilitate marine mammals that may be injured in the event of an oil spill or other disaster in Arctic waters.

That said, there are sections of the draft Guidelines that would benefit from revision. These include the Appendices which provide regional contact information and outreach protocols, respectively. Given the importance of marine mammals to Alaska Native communities, contact information should provide as much detail as possible, and be kept up to date. For example,

Appendix 1 lists regional community contact information for each of the three geographic regions (Bering Strait, Northwest Arctic Borough, and North Slope Borough). Contact information for the five co-management organizations identified (Alaska Eskimo Whaling Commission, Alaska Nanuq Commission, Alaska Ice Seal Committee, Eskimo Walrus Committee, and Alaska Beluga Whale Committee) should include names. In addition, all five co-management organizations should be included for each region, as the corresponding marine mammal species have the potential to occur in each region depending on the season and weather conditions. Procedures should also be in place for ensuring that responders have access to updated contact information. For example, the Alaska Nanuq Commission is in the process of being re-organized and associated contact information is likely to change before the Guidelines are approved. NMFS and Unified Command should have access to an updated website or other mechanism that identifies the most current point of contact (with names, email addresses, fax numbers, and phone numbers) for each organization and Native Village.

In addition, the type of information to be communicated to Alaska Native communities, who is responsible for outreach, and how often information should be updated during an oil spill or other discharge event should be clarified in the Appendices. Given their dependence on marine mammals for food, Alaska Native communities must have access to timely and reliable information to prevent possible exposure to hazardous substances. Accordingly, the Guidelines should include explicit protocols regarding information to be included in outreach materials, such as the presence of hazardous substances in subsistence hunting areas, whether marine mammals have been tested for toxins and whether they have been deemed “safe” for consumption, alternative hunting areas, and who to contact for more information regarding food safety concerns. Personal, direct, and frequent contact between either Unified Command or NMFS, as appropriate, and Alaska Native Organizations, hunters, and community leaders during a disaster is strongly encouraged, in addition to outreach to media and other, broader communication outlets.

Once external comments on the draft Guidelines have been incorporated, it is the Commission’s understanding that NMFS will seek final review and approval by the Alaska Regional Response Team (ARRT) before the Guidelines can become part of the Unified Plan. However, it is unclear from the *Federal Register* notice or the Guidelines themselves what the ARRT process and timeline will be to review and revise the Unified Plan. The Commission recommends that NMFS act quickly to request that the ARRT adopt the Arctic Marine Mammal Disaster Response Guidelines as part of the Unified Plan, Annex G: Wildlife Protection Guidelines.

Broad dissemination of the Guidelines, direct communication with Arctic communities regarding its contents, and timely updates to reflect new information are all key to the successful adoption and use of the Guidelines in the event of a disaster. In listening sessions convened by the Commission in Barrow¹, Kotzebue, and Nome in February 2016, we heard repeatedly from community members about a lack of NMFS presence in those communities and poor communication on matters affecting marine mammals with implications for subsistence harvest, such as the 2011 pinniped Unusual Mortality Event. In addition, the Alaska Region Marine Mammal Stranding Network is under-represented in the Arctic; Barrow and Nome are the only two

¹ It is our understanding that residents of the city of Barrow recently voted to have the city’s name changed to Utqiagvik. The Commission does not have any comments regarding this change, but encourages NMFS to seek formal input and clarification from the city on the preferred name.

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communities with stranding agreement holders. Consistent, year-round presence of trained individuals is needed to collect information on marine mammal populations. Providing stranding response training to Alaska Native community members and other locally-based individuals and organizations would help nurture trust relationships needed for effective coordination and communication with local communities in the event of an oil spill or other disaster. The Commission recommends that NMFS deploy more permanent staff in Arctic communities and provide training opportunities to Alaska Native community members and other locally-based individuals and organizations to expand the capacity of stranding network members to collect baseline and stranding data and implement effective disaster response.

Please contact me if you have questions regarding the Commission's recommendations.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca J. Lent". The signature is written in a cursive style with a large initial "R".

Rebecca J. Lent, Ph.D.
Executive Director