



MARINE MAMMAL COMMISSION

17 December 2018

Ms. Sharon Randall, Chief
Environmental Analysis Section
Bureau of Ocean Energy Management
Alaska Outer Continental Shelf Region
3801 Centerpoint Drive, Suite 500
Anchorage, Alaska 99503

Dear Ms. Randall:

The Marine Mammal Commission (the Commission), in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the Bureau of Ocean Energy Management's (BOEM) notice of intent to prepare an environmental impact statement (EIS) for the proposed lease sale in the Beaufort Sea Outer Continental Shelf (OCS) planning area (83 Fed. Reg. 57749). The Commission has also reviewed BOEM's [13 November 2018 memorandum](#) to Dr. Walter Cruickshank, BOEM Acting Deputy Director, identifying the area recommended for inclusion in the lease sale.

BOEM is proposing to offer for sale all available lease blocks in the Beaufort Sea planning area, including the Barrow¹ and Kaktovik whaling areas. Those whaling areas were excluded from consideration for leasing in individual lease sales conducted in 2003, 2005, and 2007²; in the 2007-2012 and 2012-2017 Proposed Final Programs; and in the program option identified for the Beaufort Sea in the 2019-2024 Draft Proposed Program. In its 13 November 2018 memorandum, BOEM explained that its rationale for proposing that all available lease blocks be included in the lease sale, including the whaling areas, was to allow for continued analysis of the potential impacts of leasing in those areas and to consider appropriate mitigation measures.

Inclusion of the Barrow and Kaktovik whaling areas in any lease sale proposed for the Beaufort Sea planning area does not adequately reflect the cultural and nutritional importance to Alaska Native communities on the North Slope of harvesting bowhead whales. Those areas represent long-standing, traditional subsistence use areas which form the core of the bowhead whale hunt in the Beaufort Sea (Braund and Associates 2010). The Commission has consistently recommended that the Barrow and Kaktovik whaling areas be excluded from leasing, in part to avoid disturbance of traditional hunting activities by Alaska Natives³. In recognition of the importance of those areas for subsistence use by Alaska Native communities, the Commission continues to recommend that BOEM exclude the Barrow and Kaktovik whaling areas from any proposed lease sale in the Beaufort Sea OCS planning area.

¹ Now known as Utqiagvik.

² Lease Sale 186 (September 2003), Lease Sale 195 (March 2005), and Lease Sale 202 (April 2007)

³ See Commission letters dated [31 July 2014](#), [18 September 2014](#) and [map](#), [30 March 2015](#), [14 June 2016](#), [17 August 2017](#), [9 March 2018](#), and [23 April 2018](#).

The Commission provided recommendations and rationale for excluding other key marine mammal foraging habitat and areas used for subsistence hunting from future lease sales in the Beaufort Sea in its [23 April 2018](#) letter to BOEM. The boundaries of those areas are illustrated in the map accompanying the letter (see enclosure). The Commission's recommendations were based on best available scientific and traditional/indigenous knowledge. More recent information continues to underscore the importance of the Beaufort Sea as habitat for marine mammals (Clarke et al. 2018, Lomac-MacNair et al. 2018, O'Corry-Crowe et al. 2018). Recent information also highlights the potential impacts of an oil spill in the Beaufort Sea on marine mammals used for subsistence (Suprenand et al. 2018).

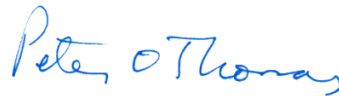
The additional areas recommended by the Commission for exclusion were not accurately depicted by BOEM in its 13 November 2018 memorandum, particularly as presented in Attachment 1 (summary of comments received on the call for information) and Attachment 3 (map depicting the Commission's recommended exclusion areas) to that memorandum. The Commission therefore reiterates the boundaries of its recommended exclusion areas as follows (**bolded text** is intended to correct the inaccuracies in BOEM's memorandum):

- the entirety of Barrow Canyon (**but not the area extending west of the canyon to the 200-m isobath**);
- the area east of the Barrow whaling area extending to the western edge of Smith Bay and seaward to the 20-m isobath (**including the area adjacent to the southeastern edge of the Barrow whaling area**);
- the area around Cross Island extending eastward to Tigvariak Island and seaward from the barrier islands out to the 40-m isobath (**but not including the area shoreward of the barrier islands**);
- the Camden Bay area extending from shore seaward to the 20-m isobath; and
- the area east of the Kaktovik whaling area extending to 142 degrees W longitude and seaward to the 50-m isobath (**including the area north and east of the whaling area and extending eastward to 142 degrees W longitude, but not as far east as the Canadian border**).

The Commission encourages BOEM to review the recommendations and rationale for the exclusion of the areas referenced in the Commission's 23 April 2018 letter to BOEM and recommends that BOEM exclude the following additional areas from any proposed lease sale in the Beaufort Sea: 1) the entirety of Barrow Canyon, 2) the area east of the Barrow whaling area to Smith Bay, 3) areas north and east of Cross Island, 4) the Camden Bay area, and 5) the area north and east of the Kaktovik whaling area. Again, the Commission defers to the Alaska Eskimo Whaling Commission and Alaska Native tribes/communities on the North Slope regarding the inclusion and delineation of areas used for subsistence hunting.

I trust these comments will be helpful. Please let me know if you have any questions.

Sincerely,



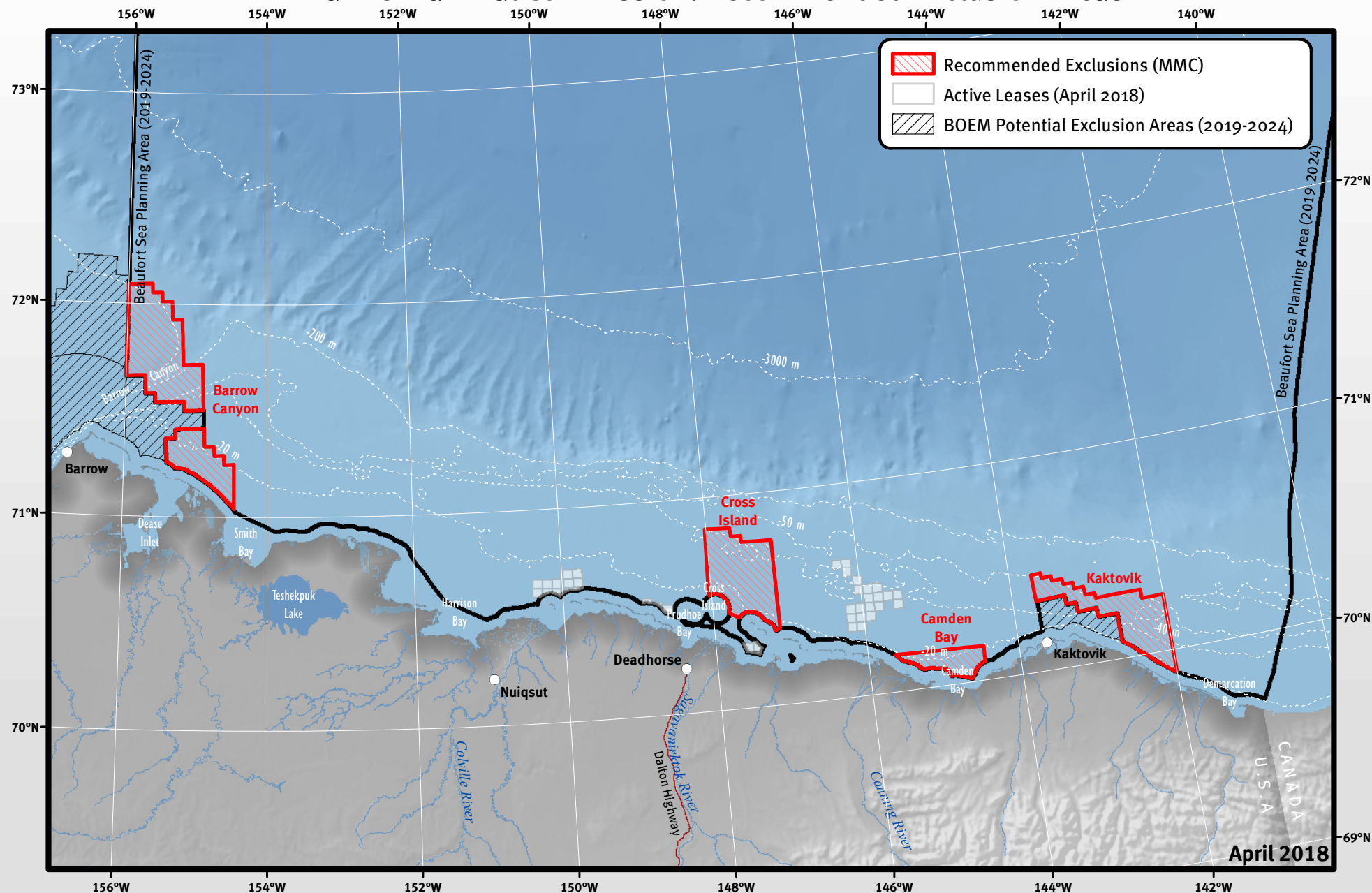
Peter O. Thomas, Ph.D.,
Executive Director

Enclosure

References

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Marine Mammal Commission: Recommended Exclusion Areas



0 20 40 60 80 Miles
0 20 40 60 80 Kilometers

The Commission recommends that BOEM exclude from leasing the following areas in the Beaufort Sea Planning Area:

- 1) The entirety of Barrow Canyon, extending to the 200-m isobaths at its most northerly point, east to the eastern edge of Admiralty Bay/Dease Inlet, south to the 20-m isobath and east to the western edge of Smith Bay. Barrow Canyon and waters to the south and east are important subsistence use areas and feeding habitat for bowhead whales.
- 2) Cross Island, including waters east to Tigvariak Island and seaward from the barrier islands to the 40-m isobath. Cross Island is an important subsistence use area.
- 3) Camden Bay, including waters seaward to the 20-m isobath. Camden Bay is a bowhead and beluga whale and seal feeding and resting area.
- 4) Kaktovik, including waters seaward to the 50-m isobath and east to 142° W longitude. Kaktovik is an important subsistence use area.