



# MARINE MAMMAL COMMISSION

31 October 2011

Mr. James H. Lecky, Director  
Office of Protected Resources  
National Marine Fisheries Service  
1315 East-West Highway  
Silver Spring, MD 20910-3225

Re: Scoping: Subsistence Harvest of Bowhead Whales by  
Alaska Natives

Dear Mr. Lecky:

The Marine Mammal Commission's staff has reviewed the National Marine Fisheries Service's *Federal Register* notice (76 Fed. Reg. 58781) announcing its intention to prepare an environmental impact statement for the establishment of annual quotas for the subsistence harvest of bowhead whales by Alaska Natives for the years 2013 through 2017. The Service is requesting comments as part of its scoping process under the National Environmental Policy Act to help identify issues and alternatives to be considered in the environmental impact statement.

The Service indicates that it anticipates including three alternatives in the environmental impact statement—(1) a no action alternative under which no hunting would be allowed, (2) an alternative to authorize an annual strike limit of up to 67 bowhead whales, but without the opportunity to carry over unused strikes from one year to the next, and (3) an alternative to authorize an annual strike limit of up to 67 bowhead whales, where up to 15 unused strikes in one year may be carried over to the next. Under alternatives 2 and 3, the limit on the number of bowhead whales that could be landed during the five-year period would be 255 whales.

As reflected in the *Federal Register* notice, the allowable level of whaling is governed in large part by the aboriginal subsistence catch limits established by the International Whaling Commission (IWC) and a bilateral agreement with Russia, which allocates the IWC quota between the two countries. Consistent with past practice, the United States and Russia likely will seek a joint catch limit for bowhead whales from the IWC at its 2012 meeting. The alternatives identified in the scoping notice seem to anticipate that the IWC will authorize the same take levels as adopted in 2007 for the years 2008 through 2012. The IWC probably will not authorize strike limits higher than those requested, but it is conceivable that it could adopt lower limits. This being the case, the Commission's staff believes that intermediate alternatives also should be considered in the planned environmental impact statement.

The Service's notice reflects the requirement of the National Environmental Policy Act that the environmental impact statement consider the cumulative effects of the proposed action along with other activities occurring in the same area at the same time. Among the effects that the Service plans to consider is climate disruption, which can affect the migratory routes of bowhead whales and their availability to subsistence hunters. Other activities that could affect bowhead whales that should be addressed in the environmental impact statement include oil and gas exploration, development, and production and activities such as shipping, commercial fisheries, military

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operations, and coastal development, all of which can be expected to increase in Arctic areas as sea ice retreats.

The Commission staff also believes that the planned environmental impact statement needs to take a hard look at harvesting efficiency and efforts being made by the United States and the Alaska Eskimo Whaling Commission to reduce the number of struck and lost whales. During most of the past decade (2000-2009), the landing rate for subsistence hunters in Alaska averaged about 77 percent. However, in 2010, the landing rate dropped to 63 percent. The Alaska Eskimo Whaling Commission has been pursuing a weapons improvement program for several years and is seeking to expand its use of explosive penthrite grenades in harpoons. The environmental impact statement should address thoroughly the types of harpoons that it expects hunters to use during the five years to be covered by the environmental impact statement and other measures that might be adopted to maximize the efficiency of subsistence whaling for bowheads.

Please contact me if you have questions concerning these or other issues as work on the envisioned environmental impact statement progresses.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy J. Ragen" followed by a flourish and the letters "for".

Timothy J. Ragen, Ph.D.  
Executive Director