

Record of Decision for
Subsistence Harvest Management of Cook Inlet Beluga Whales
Final Environmental Impact Statement

National Marine Fisheries Service
Alaska Region

I. Introduction

Pursuant to s102 (2)(c) of the National Environmental Policy Act of 1969 (P.L. 91-190, as amended), and the regulations promulgated by the Council on Environmental Quality (at 40 CFR 1505.2), the National Marine Fisheries Service (NMFS) has prepared the following Record of Decision regarding the June 2003 Final Environmental Impact Statement (FEIS); Subsistence Harvest Management of Cook Inlet Beluga Whales. This Record of Decision is a concise statement of the management planning and environmental impact analysis process completed, the seven alternatives considered, decisions made and the basis for those decisions, the mitigating measures developed to avoid or minimize potential impacts to the environment, and the monitoring and enforcement efforts associated with the proposed action.

II. Decision

NMFS will adopt and implement actions described under Alternative Seven in the FEIS. Key elements of this alternative are described below as the Selected Action.

III. Selected Action

The FEIS assessed alternatives associated with managing the subsistence harvest of beluga whales from Cook Inlet, Alaska by Alaskan Natives. After consideration of all concerns and issues raised during the environmental impact analysis process and deliberations associated with an administrative hearing process on this management, NMFS has selected Alternative Seven for implementation. Alternative Seven represents a harvest management strategy which reflects the findings of the Administrative Law Judge (ALJ) and parties to that process. The level of subsistence harvest is established under Alternative Seven as 6 beluga whales every 4 years (2001-2004), with no more than 2 whales (or strikes) occurring in any year.

IV. Alternatives Considered

The direct and indirect impact of each alternative has been evaluated through a model which examines the length of time it would take for the stock to recover to 780 whales under different harvest strategies. No reasonable alternatives were rejected. The Alternatives and harvest levels ranged from:

1. Zero harvest until the population recovers to no less than 780 whales. Projected year of recovery is 2022, if harvest is the only factor limiting the population.
2. One strike annually until the stock recovers to no less than 780 whales. Projected year of recovery is 2023, if harvest is the only factor limiting the population.
3. One strike annually during 2000-2007, increasing to two strikes per year from 2008

annually until the stock recovers to no less than 780 whales. Projected year of recovery is 2024, if harvest is the only factor limiting the population.

4. Two strikes annually until the stock recovers to no less than 780 whales. Projected year of recovery is 2024, if harvest is the only factor limiting the population.
5. Variable harvest that allows 2 percent of annual recruitment to be taken annually, based on annual population estimates, until the stock recovers to no less than 780 whales. Projected year of recovery is 2050, if harvest is the only factor limiting the population.
6. No-action (no agreement allowing a harvest to occur) until the stock recovers to no less than 780 whales. Projected year of recovery is 2023, if harvest is the only factor limiting the population.
7. Preferred Alternative: ALJ recommended harvest of six strikes in four years between 2001 and 2004. The Court will review the status of CI beluga whales in 2005 and a long term strategy will be developed. The long term strategy will stay in effect until the population is recovered. Projected recovery depends upon the long term strategy adopted.

V. Rationale for Selection of the Preferred Alternative

If harvest is the only factor affecting the CI beluga population, the quickest recovery would occur under Alternatives 1 and 6 (no-action), which would allow zero harvest. However, these alternatives would result in the diminishment of cultural values, traditions and nutritional needs within the local CI Native community and the Native Village of Tyonek. Harvest levels under Alternatives 2 through 4 and 7 would provide the opportunity for continued Native subsistence hunting while extending recovery of this stock of beluga whales only 1 to 2 years. Alternative 5 allows harvest based on a percent of recruitment and would delay recovery more than 50 years.

NMFS recognizes the importance of CI beluga whales to Native cultures and nutrition, and the importance of providing the continued opportunity to harvest beluga whales during the recovery phase. The harvest and subsistence use of beluga whales are important components of Alaska Native culture in the Inlet. The importance of the harvest transcends the nutritional and economic value of the whale, and helps provide cultural identity to the Native people who harvest these whales. NMFS recognizes the need of Native hunters to continue the hunt during the recovery period to maintain their traditions, and to pass on the skills, knowledge, and traditions of beluga whale hunting to the younger generation during this period. To make sure the CI beluga whale population is recovering, the preferred alternative allows alteration of the long term harvest regime in 2005, based upon the most current information and analysis of population trends. Because Alternative 7 best provides for 1) continued participation by Alaskan Natives in the customary and traditional subsistence harvest of Cook Inlet beluga whales and 2) the recovery of this depleted stock, it is also the **Environmentally Preferred Alternative**.

VI. Mitigation

The FEIS describes several mitigation measures which will be followed in the harvest management of Cook Inlet beluga whales. Many of these will be jointly developed and enacted

management of Cook Inlet beluga whales. Many of these will be jointly developed and enacted by both NMFS and the CIMMC. The subsistence harvest will be conducted by experienced hunters. Females with calves will not be taken and the hunt will be conducted in such a manner as to eliminate or minimize the chance of struck and loss. Strikes will be counted against the strike allocation, even if they do not result in a harvested whale. Hunting shall occur after July 1, to minimize the chance of harvesting a pregnant female. NMFS will be notified 48 hours prior to the hunt, and if a whale is taken, NMFS will be contacted within 24 hours of the harvest. Hunters will provide the lower jawbone of each harvested whale to NMFS and provide harvest information to CIMMC or NMFS with 30 days. CI beluga whale soft parts (meat and muktuk) will not be sold commercially. Nonedible by-products of a legally-taken CI beluga may be used for handicrafts or clothing. NMFS may suspend further hunting at any time if it finds unanticipated deaths within this stock are too high to permit additional removals, consistent with recovery of the CI beluga whales.

Law Enforcement

NOAA Fisheries Office for Law Enforcement will emphasize monitoring Cook Inlet for possible poaching and will respond to calls from the public who believe that the illegal taking of a CI beluga whale might be taking place. Enforcement will also provide education on marine mammal resources and beluga enforcement.

CI Beluga Whale Population Surveys

NMFS will conduct detailed yearly population surveys of the CI beluga whale population, as needed to determine population trends and manage the recovery of this stock, using accepted scientific methodology, until the population is recovered.

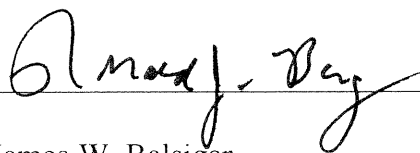
Strandings

NMFS will make a reasonable effort to respond to strandings. Dead whales will be evaluated as to cause of death and samples will be taken as available to determine basic life history, parasite loads, contaminant levels, disease, and abnormalities.

VII. Conclusion

Based upon the environmental analysis described within the FEIS, the consideration of selected alternatives, the viability of the selected action in terms of providing continued participation by Alaskan Natives in the customary and traditional subsistence harvest of Cook Inlet beluga whales and in terms of recovering this depleted stock, and the monitoring and enforcement criteria established in the FEIS and subsequent co-management agreements, NMFS approves Alternative Seven for implementation.

Signed: _____



For James W. Balsiger
Administrator, Alaska Region

Date: _____

2/9/04