

**Report of the Cook Inlet Beluga
Long Term Harvest Regime Working Group Meeting**

**Koloa Building, 1680 C Street.
7 December 2003**

A meeting was held on Sunday, December 7, 2003 at the Koloa Building in Anchorage, Alaska to discuss the long-term harvest strategy for subsistence hunting of Cook Inlet (CI) beluga whales by Alaska Natives. A meeting agenda (Appendix 1) and the attendance list (Appendix 2) are included. The minutes of the meeting follow: The meeting was called and chaired by NOAA Fisheries, and was responsive to the ongoing development of harvest regulations for the years 2005 and beyond, as ordered by Judge Parlan McKenna in his findings relative to the administrative hearing conducted during December 2000. That order requires NOAA Fisheries to deliver a proposed harvest plan to the judge no later than March 15, 2004. The Parties to the Administrative Hearing have met previously on this issue, and NOAA Fisheries prepared a “white paper” for harvest management based in part on these discussions. This white paper was distributed at the December 7, 2003 meeting (Appendix 3).

Michael **Payne** presented introductory statements and provided the history of events leading to today’s meeting, as well as the purposes: to update the public on progress in developing long-term regulations and to develop a consensus approach for the harvest regime.

Mike **Gosliner** sent apologies from Dan **Goodman**, the Marine Mammal Commission (MMC) Scientific Advisor, for not making the meeting as was his intention. M. **Payne** sent apologies from Rod Hobbs, the NOAA Fisheries Scientific Advisor, who also could not make the meeting as planned.

Andre **Punt** provided an overview of the harvest strategy discussions which had preceded this meeting (i.e., those between the Parties and the ALJ proceedings). He presented the NOAA estimates of abundance for CI belugas for the years 1999 through 2002 (1999:367, 2000:435, 2001:386, 2002:313) and expressed his belief that the increasing trend which had been expected within this stock after regulation of the harvest is not being seen in these estimates. He explained the variance in estimate numbers, but said, based on his experience with other marine mammal stocks, the abundance information on CI beluga is generally very good. Lenwood **Saccheus** and Charles **Edwardson** questioned the reasonableness of the abundance estimates. Several Native hunters expressed concerns that their observations and opinions were not being solicited by NOAA Fisheries, and that these would be useful in any assessment of the health of the population. They specifically mentioned seeing large numbers of gray beluga whales, which they said would not be visible to observers in aircraft. Joel **Blatchford** noted the unhealthy appearance of tissues from a stranded beluga whale during this past summer.

A. **Punt** said the beluga harvest after 1999 is not the reason for the trend being observed in CI belugas, but that any decrease in abundance estimates may be due to bad data, noisy data, or that something else is going on which has not been detected.

Jess **Lanman** asked about the results of a meeting on this subject held September 25-26, 2003 in

Seattle, and why the minutes from that meeting had not been distributed prior to today's meeting. **M. Payne** responded that staff was delayed in Russia, and had been prevented from getting the minutes of that meeting out as planned, but that they will be distributed soon.

Sky **Starkey** noted that if the population numbers are flat or in decline despite very low harvest rates, this indicates that hunting may have not been the primary cause of decline. He requested NOAA Fisheries to acknowledge this possibility and retract previous statements which identified hunting as the cause of the decline of the Cook Inlet belugas.

J. Blatchford said there are Federal monies available for research, and that the hunters and Alaska Native organizations must be included in any applicable research.

M. Payne reminded the group of the need to discuss the abundance estimate, and if the hunters felt these were reasonable or had other recommendations, NOAA Fisheries encouraged comments from the hunters. **L. Saccheus** and Ronald **Komakhuk** said there are more whales than the abundance estimates show. **J. Lanman** said he felt a harvest of "2 percent" would be sustainable. **C. Edwarson** felt the harvest should also be 2 percent, or six (6) whales annually.

J. Blatchford recommended NOAA allocate a 2 whale/year harvest level. **Les Greene** recommended opening the hunt for a month, reporting by hunters on the strikes, and NOAA then determining whether that effort had a measurable effect on the abundance. **Deborah Blatchford** said 2 percent was needed and that the hunters would agree to an estimate of around 300 CI belugas, to provide an annual take of six (6). **Arthur Nuglene** said he needs a quota to feed his family and teach his grandsons how to hunt. **L. Saccheus** said an open hunt is not the solution, and that six whales in four years were reasonable, as long as qualifying whaling captains compete in a lottery and Tyonek has to compete in this lottery to make it fair to everyone. **Peter Merryman** said Tyonek has a tradition of hunting CI beluga and has never hunted more than three whales in one year.

Kaja Brix identified three issues for discussion: 1) short term perspective, how many whales are to be hunted, 2) long-term perspective (how to increase the population), and 3) immediate (what to do with the harvest?)

Delice Calcote had some questions and comments, and answers were provided by **Brad Smith**

- 1) do fishermen have an exemption? (no, beluga takes are self reporting, and CI participated in the Marine Mammal Observer Program, and no belugas were taken (1999-2000))
- 2) are oil and gas activities exempted? (no)
- 3) believe unused strikes should be available to hunters the following year
- 4) what about CI belugas swimming to Bristol Bay? She has heard of beluga sightings at Sheilikof and False Pass
- 5) Kenai tribes have a traditional hunt for belugas

K. Brix summarized hunters' concerns:

- 1) livelihoods maintained
- 2) fairness
- 3) involved in research decisions

- 4) participate in research
- 5) dissemination of information
- 6) have other issues/activities investigated, not just harvest
- 7) willing to find solution
 - a. 2 belugas/year
 - b. 2 percent of abundance (what is the abundance estimate?)
 - c. 1½ belugas/year with an open lottery every year
 - d. open hunt

J. **Lanman** said NOAA should notify all CI tribes of these meetings, and that we should distribute the results of any necropsies performed. B. **Smith** responded by saying NOAA would arrange to make a presentation to the hunters and ANO's regarding necropsy and toxicology data on CI beluga.

M. **Gosliner** said the MMC is willing to accommodate a small harvest of CI beluga, but noted that even a zero harvest may result in continuing declines in this stock. He felt that a harvest plan which keeps strikes at their present level (i.e., 1½ belugas per year) would be very liberal in view of this.

Allocation of the whales was discussed; B. **Smith** stated this is currently part of the Federal regulations, but that the issue might be more-properly addressed within the Native hunting community. Tom **Eagle** said the Natives could resolve allocation, and this could then be included in the regulations. P. **Merryman** expressed concern that Anchorage Native population continues to grow, Tyonek might be squeezed out of the beluga hunt. He said two belugas are sufficient and he will work things out with the Anchorage hunters. S. **Starkey** believes that the federal government would have to maintain their involvement in the allocation issue at this time. J. **Lanman** said that other villagers want to hunt belugas and they will be at the discussions with Tyonek and Anchorage beluga hunters.

K. **Brix** asked if hunters can live with 1½ belugas/year, keeping the harvest at status quo.

M. **Gosliner** said that if CI beluga population was increasing annually by 4 percent or even 2 percent, this population increase would show in the trend. The fact that there is no trend increase is a good sign that the population is not increasing.

S. **Starkey** stated that whenever a whale allocated to one ANO cannot be used, they should notify the other and provide them opportunity to utilize that strike during that year's hunting season. He was not in favor of a carry over of unused strikes into future years.

K. **Brix** offered the proposal for a harvest rate on 1½ whales per year. S. **Starkey** then drew a chart depicting his understanding of how whales would be harvested and allocated under this proposal. P. **Merryman** said the Village of Tyonek would agree to 1½ whales per year, shared equally between Tyonek and the Anchorage. That chart indicated the following years/strikes/allocations: 2004: 2 strikes, 1 to Tyonek, 1 to Anchorage hunters; 2005: 2 strikes, 1 to Tyonek, 1 to Anchorage hunters; 2006: 1 strike to Anchorage hunters; 2007: 2 strikes, 1 to Tyonek, 1 to Anchorage hunters; 2008: 1 strike to Tyonek; 2009: 2 strikes, 1 to Tyonek, 1 to

Anchorage hunters. P. **Merryman** offered his statement as a motion for consensus by the assembled Native hunting groups. M. **Gosliner** said MMC may accept this plan, but only if the underlying assumptions which support these strike limits are made clear. J. **Blatchford** said the Alaska Native Marine Mammal Hunters Committee agreed to this motion. J. **Lanman** said other Cook Inlet tribes exist with a history and interest in harvesting beluga whales in Cook Inlet, and that they should be considered in any allocation scheme. Lee **Stephan** said the Cook Inlet Treaty Tribes would agree to the motion, but that NOAA should consider the effect of harvesting only larger whales, which are breeders. L. **Stephan** also asked what the number is at which NOAA considers the CI belugas to be recovered, and what is the purpose of efforts to recover the stock. No response was given to this question. M. **Gosliner** stated MMC may agree to a harvest level at 1½ strikes per year, but may want to see a provision for only males to be taken and inclusion of harvest policy statements.

K. **Brix** asked if there were any objections to only considering the harvest years 2005 and beyond, as the 2004 harvest was to be governed by the existing ALJ agreement and regulations now being finalized; no objections were offered.

B. **Smith** asked if the Native groups in attendance would agree to the following statement regarding long term harvest; *“The Alaska Native organizations and beluga whale hunters in attendance at this meeting (Anchorage, AK, December 7, 2003) agree to adopt a 5-year harvest management plan for Cook Inlet beluga whales as proposed at this meeting, with the understanding these parties recognize the need for, but reserve further action and approval at this time on, adjustments to future harvest levels (i.e., 2005 and beyond) based on the observed recovery of the Cook Inlet stock of beluga whales. The five year harvest plan would be as follows: 2005: 2 strikes, 1 to Tyonek, 1 to Anchorage hunters; 2006: 1 strike to Anchorage hunters; 2007: 2 strikes, 1 to Tyonek, 1 to Anchorage hunters; 2008: 1 strike to Tyonek; 2009: 2 strikes, 1 to Tyonek, 1 to Anchorage hunters.”* No objections to this statement were offered. NOAA Fisheries requested review and comments on the draft white paper.

This was followed by a discussion of how to address the “white paper” criteria which allow for adjustments to the 1½ strikes per year harvest level depending on the observed response of the population and unusual mortalities. Many objected to being asked to comment on or approve a paper which had only now been given to them. M. **Gosliner** felt the proposed criteria may differ from the recommendations or conclusions of the September meeting in Seattle, and wanted more time to review. A. **Punt** asked how the adjustment factors in the white paper would affect the harvest plan just discussed. He felt it was not realistic to adjust harvest levels within a five year block, but rather, any adjustments should be made at five year intervals. However, he said any plan needs to address catastrophic loss, and respond to what effect such an event would have on harvests.

The meeting adjourned at approximately 5:00 p.m..

APPENDIX 1. Agenda

LONG TERM HARVEST REGIME - COOK INLET BELUGAS

7 December 2003 12 p.m.

Kaloa Building

- I. Greeting
- II. Introductions
- III. Discuss the purpose of this meeting
- to develop a consensus on the long term harvest (2005 and subsequent years) of Cook Inlet belugas
- IV Review the White Paper (provided) on NOAA Fisheries policy regarding harvest
- V. Review of harvest options as they affect beluga recovery
- VI. Open discussion
- VII. Develop a harvest plan for 2005
- VIII. Adjourn

APPENDIX 2. List of Participants

Alaska Native Marine Mammal Hunters Committee

Dj Blatchford
Joel Blatchford

Cook Inlet Treaty Tribes

Delice Calcote
Charlie Edwardson
Jess Lanman
Lee Stephan

Hunters

Francis Anawrok
Bret Cragie
Clyde Eben
Les Greene, Sr.
Floyd Kakaruk
Tom Kakaruk
Ronald Komakhuk
Albert (Tom) Nuglene
Arthur Nuglene
Lenwood (Mike) Saccheus

Marine Mammal Commission (MMC)

Michael Gosliner - Legal Counsel

National Marine Fisheries Service (NOAA Fisheries)

Kaja Brix - Administrative Regional Assistant, Alaska Region
Tom Eagle - Office of Protected Resources
Barbara Mahoney - Alaska Region
Tom Meyer - General Council, Alaska Region
Michael Payne - Office of Protected Resources
Brad Smith - Alaska Region

Native Contractors

Andre Punt - Scientific Advisor
John (Sky) Starkey - Legal Counsel

Native Village of Tyonek

Peter Merryman - President

APPENDIX 3. - NOAA White Paper on Proposed Long-Term Management Harvest Adjustments; as distributed at meeting of December 7, 2003, Anchorage, AK.

Recovery Criteria for Cook Inlet beluga – long-term harvest regime (Draft: Hobbs 12/5/03)
(The following is a strawman proposal from Hobbs and Wade to initiate discussion.)

The management of the depleted Cook Inlet beluga stock (CIB) will include a subsistence harvest by Alaska native hunters consistent with a delay in time to recovery to a population of 780 of not greater than 25% (with 95% certainty). It is acknowledged by NMFS that during this recovery period there may be catastrophic short term events unrelated to harvest that will result in a decline in the CIB and longer periods of limited growth or moderate decline in the CIB unrelated to harvest. Criteria for adjustments to the harvest level will depend on the maximum rate of increase (R_{max}) and the observed annual rate of increase during a period of constant harvest level (R_{harv}), as estimated within a population model for the CIB under development by the Technical Committee (Punt, Goodman, Hobbs) and recorded mortalities within the population. Thus, NMFS proposes the following criteria for adjustments to the harvest level:

- 1) If the harvest level has been adjusted in the previous four years **and** no unusual mortality or decline event (criteria 5) has occurred then harvest remains the same, if after five years criteria 2-4 are not met the harvest level (currently 1.5/year) is not changed, and new five year period begins
- 2) If after five or more years of a constant harvest policy the population is shown to be recovering ($R_{harv} > 0\%$ at some level of significance to be determined **and** $R_{max} > 2\%$ at some level of significance to be determined) Harvest will be increased by either $\frac{1}{2}$ whale per year or one whale per year if the additional harvest is consistent with the stated recovery goal and a new five year period would begin.
- 3) If after five or more years of a constant harvest policy the population is shown to **NOT** be recovering at a rate sufficient to meet the stated recovery goal, ($R_{max} > 2\%$ at some level of significance to be determined), then harvest will be decreased by $\frac{1}{2}$ whales per year and a new five year period would begin.
- 4) If during five or more years of a constant harvest policy the population is shown to be declining ($R_{harv} < 0\%$, at some level of significance to be determined; for example, probability of decline of 0.9), then harvest will be decreased by $\frac{1}{2}$ whales per year and a new five year period would begin.
- 5) Unusual Mortality or Decline Event: Mortalities of **10% (??)** of the CIB observed in a single year **or** mortalities of **15% (??)** of the CIB over two years **or** estimated abundance by NMFS in one year is **< 290 (??)** **or** for two consecutive years is **< 300 (??)** will be considered to represent a significant decline of the population and consultation would be undertaken to consider an immediate reduction of the harvest level.

Other points:

- NMFS intends to do annual surveys for at least the next 5 years and continue a survey schedule in future years as necessary to meet the data requirements of this management scheme.

- If after two sequential 5 year time periods (including the period 2000-2004) the population is found to be declining or not recovering (i.e. criterion 3 or 4 invoked), the entire management approach would have to be reviewed. A 5 year period is stipulated to allow for sufficient data to be able to determine the current trend of the population and any response to the new harvest level.