

Nancy Lord



November 21, 2000

Chief, Marine Mammal Division
Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway
Silver Spring, MD 20910

RE: DEIS and Proposed Rule re: Cook Inlet Beluga Whales

Dear Administrators:

I wish to comment on the DEIS and proposed rule as an individual with a long-term interest in the Cook Inlet beluga whales.

The designation of the Cook Inlet belugas as depleted and restrictions on hunting are very necessary (and belated) steps. I urge NMFS to complete these actions with all due speed and to implement a conservation plan as required under the MMPA. I further urge NMFS to reconsider its finding that an ESA listing was unwarranted and, with or without such designation, to proceed with additional research and the protection of critical habitat. NMFS has, aside from making some recommendations about areas to close to oil leasing, taken no action to identify and protect habitat essential to the whales' successful reproduction and feeding.

I have these major particular concerns and suggestions regarding the EIS:

1. The model regarding recovery time is not well explained. What age of sexual maturity is used? (The life history section gives widely different estimates--from 4 to 15 years.) How is the young age of the population factored in? What natural mortality is assumed, based on what? Is the model specific to what is known about the Cook Inlet whales, or is it a more generic model? Some discussion of the model's limitations seems called for, since its application is applied to the harvest alternatives in a way that suggests more certainty than it could possibly have. (Responders seem to be being asked to choose specific recovery times--e.g. 22 versus 25 years.) Furthermore, the assumption that the population will grow to carrying capacity if no harvest occurs may not be a safe one for a population that is already so depleted and with so little known about what other stresses might be operative.

2. Related to the above, the DEIS should incorporate the abundance estimate for 2000. Although this has apparently not yet been formally released, the rough numbers suggest that the population has not rebounded since the cessation of hunting in 1999. Rather, the

numbers for the last three years appear to be statistically flat. This is at odds with the table on page 32, which assumes an increase this year and in subsequent years. If the population has not shown sign of the expected increase in the two seasons that hunting has not occurred, then your entire premise that hunting is the only factor that has depressed the stock and the only element that needs to be considered is in error.

3. The DEIS fails to adequately consider the small size of the population and the inherent risks associated with such a small population size. Certainly population dynamics science regarding genetics, social behavior, and vulnerability to events like localized hazardous spills or disturbances should be drawn upon in such a document--and is noticeably absent. Given the variety and extent of all Cook Inlet activities and the unknowns associated with them, the conclusion that potential cumulative impacts are minimal and would not inhibit recovery does not seem defensible.

4. Your discussion of contaminants of various kinds fails to make clear the relevance of the population's age structure. The fact that the population is made up of mostly young animals (compared to populations elsewhere) can account for the lower levels of bioaccumulation. I don't know if this explanation occurs in Mr. Becker's published or unpublished reports, but I heard him say this at a presentation, and it certainly seems significant.

5. I'm glad to see the discussion of killer whale predation. My common sense tells me that such predation may be a factor that will contribute to more natural mortality than has been the case previously. I suggest you mention the documented killer whale mortality this year and give more emphasis to the known effects on other prey species (e.g. sea otters) due to the decline of Steller sea lions and harbor seals. I do not find your conclusion that natural mortality is not "significant enough to drive the population towards endangerment" to be supported.

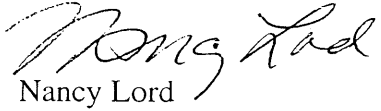
6. In your discussion of potential cumulative impacts, you should include a section to cover illegal activity resulting in harassment and mortality. It is likely that, in an area surrounded by so many humans and so easily accessible, a certain amount of such human behavior is occurring and will continue to occur, particularly given the size of the inlet and the inability of enforcement personnel to monitor even a fraction of it. Reports of illegal hunting activity and shootings sometimes circulate and are reported to NMFS, and one young beluga was found with a bullet hole this year--apparently the victim of some "sport." The point here is not to place blame or to speculate about anyone's bad intentions or foolishness, but to recognize that such human behavior is a factor and needs to be considered along with the rest. A conservation plan will need to address the need for increases in both education and enforcement.

Regarding the proposed regulations, I agree that some level of continued harvest opportunity is important to Native communities. I support the regulations as proposed, except that, to be slightly more cautionary, I would prefer that the harvest be initially limited to one strike annually, then increased to two if the population does indeed show

signs of rebuilding. What is immediately important is that the hunting tradition not be broken entirely. NMFS's periodic review of the harvest and its effect on the stock, and an allowance to adjust the number of strikes, are also critically important and should perhaps be spelled out in more detail.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Lord". The signature is written in black ink and is positioned above the printed name.

Nancy Lord