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TELLER
UNALAKLEET
WALES
WHITE MOUNTAIN

January 6, 2014

Subject: Policy-based recommendations from Kawerak's Ice Seal and Walrus Project

Dear Colleague,

The attached policy document summarizes threats to seal and walrus hunting as described by elders and experienced hunters in the Bering Strait region. It describes local recommendations to address these threats and to protect seal and walrus hunting. This information was generated during Kawerak's *Ice Seal and Walrus project*. Between 2010 and 2012, we interviewed 82 elders and hunters in 9 Bering Strait region communities, held focus groups, community meetings, and held a workshop. All of the hunters and elders that participated in our project had many years of experience hunting seals and walruses from their communities. During the course of the project they described their observations of seals and walruses, including habitat needs and responses to disturbance. Policy-relevant information from this project has been organized and summarized in the attached policy document.

As an organization involved in marine policy that affects the Bering Strait region, we hope that you will incorporate these recommendations into your actions. Incorporating these recommendations will help protect the unique features of our region, including the marine environment and the traditional lifestyles.

Additional information about our project and our Social Science Program can be found at <http://www.kawerak.org/socialsci.html>.

If you have any questions about the enclosed document, please contact Julie Raymond-Yakoubian, Social Science Program Director, at 443-4273 or juliery@kawerak.org.

Sincerely,
KAWERAK, INC.

Melanie Bahnke, President

Enclosure

Policy-based recommendations from Kawerak's Ice Seal and Walrus Project

For millennia, Bering Strait region tribes have successfully harvested and observed the massive marine mammal migrations that pass through the region each year. These marine mammals are an integral part of local cultures and contribute to both food security and cultural identity. Communities have developed ingenious ways to harvest and retrieve these large mammals and to produce foods, tools, crafts and other items that utilize almost every part of the animals.

Today, many local experts (experienced hunters and elders) in the Bering Strait region are concerned that increasing vessel traffic and development activities in the Arctic threaten both marine mammals and the local cultures that depend on them. Tribes here want to preserve the region's clean oceans, abundant marine life, and vibrant indigenous cultures. This document presents the primary threats to seals and walruses, and to seal and walrus hunting, identified by local experts, as well as specific responses supported by tribes in the region. This information was documented as part of Kawerak's Community-Based Documentation of Ice Seals and Walrus project.

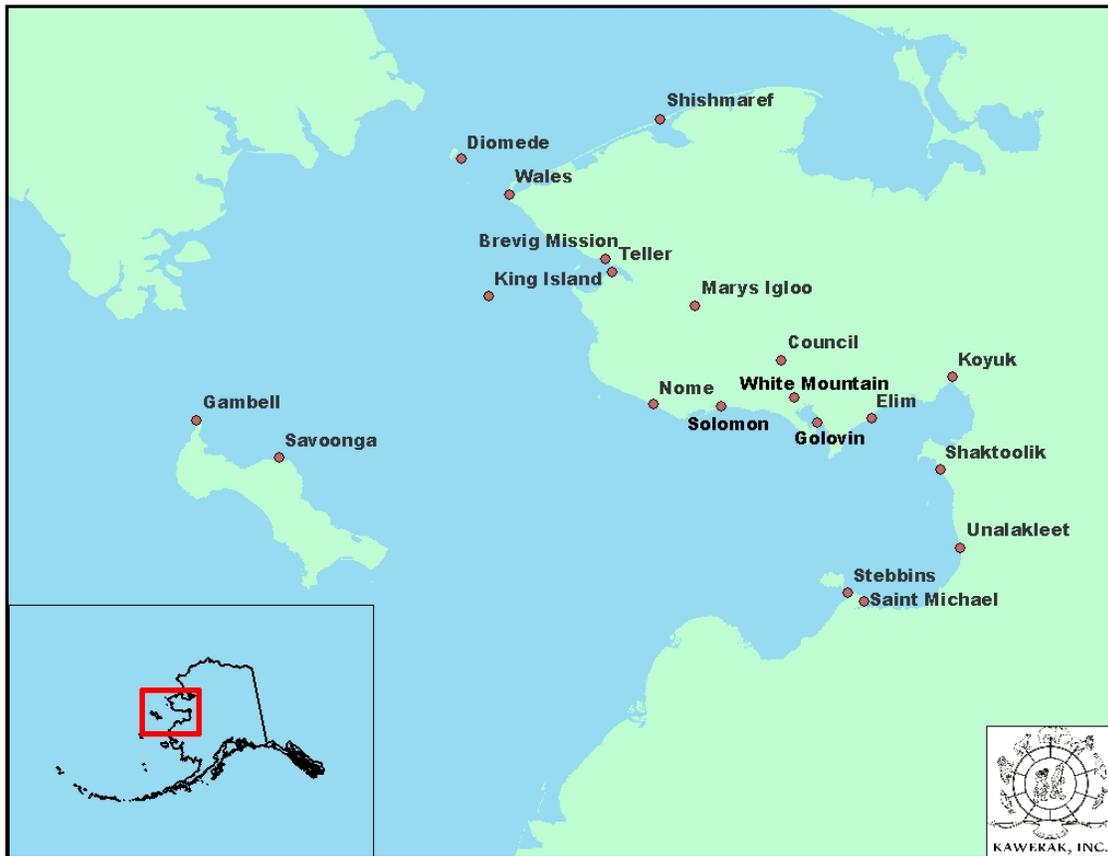


Figure 1. The Kawerak region.

Kawerak, Inc. is an Alaska Native regional tribal consortium consisting of 20 member tribes and was formed in 1973 as the Alaska Native non-profit for the Bering Strait region. Nearly 200 employees provide services to approximately 7,000 tribal members throughout the Bering Strait

region. Kawerak offers educational, social, infrastructure development, natural and cultural resource preservation and employment services. The Kawerak Board of Directors is composed of the Presidents of the 20 Bering Strait tribes, two elders, and a representative from the regional health corporation. Kawerak's vision statement is: "*Building on the inherent strength of our cultural values, we shall assist our tribes and residents to create a positive future.*" The Social Science Program, which is part of the Natural Resources Division, conducted the Ice Seal and Walrus Project in collaboration with 9 tribes, the Ice Seal Committee and the Eskimo Walrus Commission.

Threats

Prey Depletion

The proposed expansion of industrial scale commercial bottom trawl fishing into the northern Bering Sea has alarmed tribes in the Bering Strait region. As one hunter explained, "*if bottom trawling wipes out the food sources, the animals will be wiped out.*" An elder commented, "*Norton Sound is people's refrigerator. If they deplete food [for seals and walrus] people here will starve.*" Industrial scale fishing activities may also deplete the fish species that feed spotted and ringed seals and damage the benthic habitat that provides prey such as clams for bearded seals and walrus. Local experts have observed that marine mammals tend to follow their prey, and as such, consider prey availability a critical habitat component. Industrial scale fishing (pelagic or non-pelagic), has the potential to disrupt the marine habitat and food chain.

Noise

Marine mammals have very sensitive hearing, as they communicate with each other through sound. Hunters can listen to bearded seals (known in Elim as *aviu*: ones that holler) underwater by putting an ear to a boat paddle. Elders explain that traditional hunting involves being very quiet, as most marine mammals equate noise with danger and will flee from disturbance. Many local experts are concerned that the noise from large ships and development activities will stress animals, causing them to flee from perceived danger and displacing them from important habitat and hunting areas.

Pollution

Indigenous residents of the Bering Strait region eat marine mammal foods regularly. A harvest survey in 2005-2006 estimated that an average of 637 pounds of marine mammal per person were harvested that year by 12 communities in the region (Ahmasuk et. al 2008¹). Seal and walrus are eaten on an almost daily basis in some households, and seal oil, made from blubber, is an essential condiment and preservative in the region. Pollutants can accumulate in marine mammals, especially in their blubber. As such, ocean contamination is a serious public health threat for families dependent on marine foods. Additionally, a catastrophic event such as an oil spill could prove devastating to the marine environment and marine mammal populations that

¹ Ahmasuk, A., E. Trigg, J. Magdanz and B. Robbins. 2008. Bering Strait Region Local and Traditional Knowledge Pilot Project: A Comprehensive Subsistence Use Study of the Bering Strait Region. North Pacific Research Board Project Final Report Project #643. Kawerak, Inc., Nome, AK.

concentrate in the region. As walruses are very sensitive to smells and are known to avoid gasoline fumes, even moderate pollution could displace them from habitat areas.

Policies that do not respect local use patterns or match local environments

Bering Strait residents have regularly expressed concern that major decisions about the region are made by people who do not understand local environments or indigenous cultures. This is considered a potential threat to the subsistence way of life. For example, local experts expressed concern about the consideration of walruses, ringed, and bearded seals for listing under the Endangered Species Act. Hunters worried that, “*Once something is labeled threatened or endangered we become criminals.*” And one elder commented that, “*All the food I eat being on the endangered species list, I might be on the endangered species list soon myself.*” Additionally, local experts noted that western science research conducted or used by management agencies often does not match with local environmental observations and knowledge, and many feel that research which does not incorporate local knowledge and observations will lead to poor management decisions.

Ship interference with subsistence users

During the spring marine mammal migration, hunters in small boats can be found all over the Bering Strait region hunting for walruses and seals. Small boats are also active at other times of the year while hunting seals or whales, fishing, or traveling to other areas or communities. These small boats are vulnerable to collision with larger ships transiting the area. Additionally, large ships can displace the marine mammals that hunters are pursuing and prevent hunting success. Displacement of animals may lead to small hunting boats having to travel further from shore to pursue animals, which creates additional safety concerns for hunters.

Policy Responses

Keep bottom trawling and other industrial fishing out of the northern Bering Sea

Local experts and area tribes universally oppose the expansion of industrial bottom trawl fishing in the region. Marine mammals are already adapting to changes in ice conditions. Maintaining prey species and preserving benthic habitat prevents further disruption. The existing prohibition of bottom trawl fishing in the Northern Bering Sea Research Area should be codified into a permanent prohibition and the consideration of expansion of other industrial fisheries into the northern Bering Sea should involve extensive research and tribal consultation.

Use environmental and safety regulations, such as a mandatory Polar Code, to reduce speeds, minimize noise, and to prohibit discharge in the Bering Strait region

Local experts emphasized that marine mammal concentrations can be found throughout the Bering Strait region in the springtime, and very high numbers are present in fall and winter. Marine mammals migrate long distances and their distributions vary depending on ice and other environmental conditions. As such, the entire region needs protection and a precautionary management approach, such as could be provided by a mandatory Polar Code with a strong

environmental component. The Bering and Chukchi seas should be designated as no discharge zones, and ships should maintain moderate speeds and be designed and operated to prevent excessive noise, with stricter limits in place during spring (March-June) and fall (October-November) migrations and during periods when ice is present. The U.S. Coast Guard should provide formal warnings to ships that discharge in the area, that exceed recommended speeds, or that do not follow other environmental or safety recommendations or requirements, so that shipping or insurance companies can financially penalize the ships. Additionally, ships should avoid marine mammal concentrations, perhaps through the use of local marine mammal observers onboard their ships, or through communication with local experts on shore.

Prevent spills through education, ship regulations, and improved spill response infrastructure

Hunting in marine waters is a very serious endeavor and is recognized as such by hunters. Many dangers are faced by vessels of all sizes that choose to operate in the Bering Strait region. The weather is unpredictable and often very rough, the ocean has seasonal moving ice that can crush boats, and response times in the case of an emergency are long. Hunters prepare carefully before going out on the water, paying close attention to environmental conditions and making sure their boat, gear, and crew are in good condition. Likewise, large ships transiting through this region need to be familiar with environmental conditions and have appropriate vessels, equipment and crew to handle the conditions. Ships should be Polar Class, made to withstand conditions in the region, and should have good communication equipment including an Automatic Identification System (AIS). Ships should carry extra equipment to deal with their own spills, since response times are long. Captains and crews should meet piloting and crewing standards, and they should know the location of hazards as well as areas of shelter under different conditions. Hazardous cargo should be restricted, and double-hulled ships should be required. Local spill response capacity needs to be improved, with emergency response gear situated (at a minimum) in the communities of Diomedes, Wales, Savoonga, and Gambell, with training opportunities provided for local responders.

Use ship routing to reduce the chance of vessel collisions

Bering Strait region communities support ship routing measures. Keeping ships in designated traffic lanes makes it easier for subsistence hunters and marine mammals to avoid vessel traffic. As subsistence traffic is most concentrated around the mainland, St. Lawrence Island, Little Diomedes Island, King Island and Fairway Rock, ship routing that maximizes its distance from these features will reduce the risk of collisions or other unnecessary interactions with subsistence users. At minimum, Little Diomedes Island and King Island should be designated as Areas to be Avoided (ATBAs) with 10 mile buffers, and ships should stay 30 miles offshore of St. Lawrence Island and the U.S. mainland (except where impossible due to narrow straits. In these cases, ships should maximize their distance from communities). Ship routes should be monitored for any marine mammal concentration areas, and modified to avoid these sensitive places.

More indigenous representation in policy-making

Bering Strait region tribes have a long history of local marine use, and cultures and livelihoods that depend upon marine mammal harvests and healthy oceans. As such, they should have a role

in policy-making that goes beyond the public comment periods open to any U.S. citizen. Many indigenous residents of the region are frustrated with research that collects data about local ways of life so that others can make decisions about the region. **All government agencies must consult with tribal governments prior to the development of policies or actions that have tribal implications.** As outlined in Executive Order 13175 and other guidance, agencies must give tribes the opportunity for timely and meaningful consultations. This is often not the case with agencies operating in the region and must improve. Processes that collect and then ignore local input cause frustration, are often not supported, and have the potential to cause damage to local cultures and livelihoods.

Additionally, there are many unknowns in our remote marine environment. Western science has been unable to make clear predictions of how environmental changes or industrial developments will affect marine mammals or the marine environment. The incorporation of traditional knowledge into research, planning, and development improves our understanding of the Bering Strait marine environment. Traditional knowledge is considered by many to be an essential part of science-based environmental policy making, has been cited in numerous peer-reviewed environmental publications, is required by law in many environmental decisions in the north, and is currently being used in the U.S. National Climate Assessment (among other documents). Traditional knowledge is a key component of best available science. In particular, traditional knowledge is lauded for the long time period and large sample size provided by observations made repeatedly over generations, and for the detection of fine-scale features and long-term changes that are often not observed by Western science-trained resource managers. Traditional knowledge is especially important in the Bering Strait and Norton Sound region because of the paucity of Western scientific studies and the considerable experience of indigenous hunters and residents.

In summary, Bering Strait region tribes have a wealth of knowledge about the marine environment, a vested interest in the continuation of healthy ecosystems, and the right to pursue their traditional ways of life. The above recommendations should be incorporated into marine policy through ongoing government-to-government tribal consultation.

This document was unanimously adopted by the Kawerak Board of Directors on 12/11/13.

For additional information, please contact:

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