

Our Way of Life Across the State

Indigenous Peoples Council for Marine Mammals Q2 News Bulletin - June 16, 2023

IPCoMM is a non-profit Alaska Native Organization ("ANO") comprised of 18 members across Alaska engaged in co-management of marine resources. IPCoMM and its members advocate for Alaska Native ways of living and marine mammals. We partner with federal agencies, scientists and tribes on issues to protect marine mammal species, the environment and Alaska Native ways of living. ANOs co-manage species with two federal agencies, the U.S. Fish and Wildlife Service at the Department of Interior and the National Marine Fisheries Service at the Department of Commerce.

IPCoMM MARINE MAMMAL LEADERSHIP NEWS

Alaska Native leaders from Southeast to Bristol Bay and Kodiak raised the issues of blood quantum as a criteria for the definition of "Alaska Native" in federal laws and regulations and its impact on the ability for Native communities to pass on Native knowledge and live our ways of life marine mammal hunting for Alaska Natives who might not be eligible to hunt marine mammals under blood quantum criteria.

In the 50 years since the legal paradigm of the Marine Mammal Protection Act ("MMPA") and the Alaska Native Land Claims Settlement Act ("ANCSA"), several regions in Alaska face the issue of descendants not being eligible to hunt marine species and/or continue Alaska Native art traditions due to blood quantum requirements. This puts at risk the continuation of our Alaska Native ways of living for future generations.

The MMPA prohibits the taking of marine mammals in United States waters, however it provides an exemption for Alaska Natives across Alaska coastlines in the North Pacific and Arctic Oceans. While the MMPA preserves Alaska Native ways of living and authorizes the co-management by Alaska Natives of marine species, it does not define who an Alaska Native is. The US FWS and the NMFS utilize the definition of Alaska Native in the ANCSA. ANCSA defines "Alaska Native" as a citizen of the United States who is one-fourth degree or more Alaska Indian (including Tsimshian), Eskimo, or Aleut blood, or a combination thereof.

IPCoMM works to protect the sustainability of marine species as well as respect and advance the self-determination of Alaska Native organizations, tribes, and tribal organizations in how they would like to address the issue of descendants. For some regions in western and northern Alaska this is not yet a critical issue, however it remains urgent for southern regions of Alaska. It is critical that tribes, tribal organizations, and Alaska Native organizations be empowered to manage this issue on their own terms as it becomes an urgent issue to preserve Alaska Native traditions and ways of living.

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Harvest Management Plans

The IPCOMM regulatory strategy aims to honor ANOs and the self determination of Alaska Natives in addressing the issue of blood quantum and eligibility to hunt marine mammals. These additional requirements will not apply to those who have the minimum blood quantum requirements as the agency defines by ANCSA.

Respecting that southern tribes, tribal organizations and Alaska Native organizations want to act immediately to enable their descendants to hunt, IPCOMM recommends a regulatory change with the agencies that will establish an alternative pathway for eligibility through **tribal membership** and **harvest management plans**.

The use of tribal membership will increase the number of people able to hunt and harvest marine mammals. In order to prevent stock depletion and ensure marine mammals are harvested in culturally relevant ways, the proposed regulatory language includes three additional requirements:

1. A harvest management plan approved by the hunter's Tribe and adopted by an Alaska Native Organization of which the hunter's Tribe is a member
2. The harvest management plan must establish eligibility criteria for tribal member harvest of marine mammals under that plan
3. The management plan must apply to a specific species, stock, or stocks, and a specific geographic area or areas.

Future Generations : The IPCOMM Board of Directors developed this regulatory strategy to build consensus with Alaska Native organizations around the State and agency partners. If you would like IPCOMM Leadership to present at your next Board Meeting or regional gathering to solicit feedback from Alaska Native people, please invite us for an update. Megan@ipcommalaska.org

Washington D.C. Capitol Hill Ocean Week

IPCOMM joined agency officials and members of Congress at Capitol Hill Oceans week. IPCOMM leadership advocated for strengthening the notion of ANO co-management. ANOs must be able to establish, design and operate marine mammal co-management programs with their hunters, and tribal members on terms that are culturally relevant to them. The minimal funding process established by the agencies in which ANOs compete for funding with each other is managed by the agencies in a manner that is directly contrary to the notions of Alaska Native co-management and/or concepts of Indian Self Determination.

Working in Marine Mammal Management:

- **New Executive Director:** Megan Onders of Nome was hired as Executive Director of IPCOMM in April 2023. She serves as the Bering Strait region village rep on the AFN Board of Directors, serves as a tribal council member for the King Island Native Community and is the host of the Ocean Knowledge Radio Show on KNOM. She holds a Masters in Applied Economics, a B.S. in economics and is beginning an academic journey at UAF to pursue a PhD in indigenous studies.

Please share your leadership updates for this publication.

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Federal Policy Updates

- On June 8, 2023, the Council on Environmental Quality, the Office of Science Technology and Policy on behalf of the Ocean Policy Committee "OPC" issued a request for information in the Federal Register for the development of an Ocean Justice Strategy. The OPC is seeking comment to help define notions of ocean justice, including the barriers and opportunities for addressing inequities in access to the blue economy as well as pursue traditional and cultural practices. Responses are due July 24, 2023.
- On June 12, 2023, the National Marine Fisheries Service issued a notice in the federal register requesting public comment on a Draft Conservation Plan for the Eastern Pacific Stock of Northern Fur Seal. The agency will be accepting comments until August 11, 2023.
<https://www.regulations.gov/docket/NOAA-NMFS-2023-0024>
- On May 22, 2023, NOAA Fisheries released its first ever Equity and Environmental Justice Strategy. Subsistence fishery participants are included in the definition of underserved community. The strategy gives definition to **structural barriers** as laws, regulations, and policies that "impact equitable access to resources and/or NOAA Fisheries services" as well as that "inequitable representation can also lead to marginalization of communities". You can view the strategy here: <https://www.fisheries.noaa.gov/s3/2023-05/NOAA-Fisheries-EEJ-Strategy-Final.pdf>
- On November 30, 2022 the Assistant to the President and Director of the Office of Science and Technology Policy and the Chair of the Council on Environmental Quality issued a "Memorandum for Heads of Federal Departments and Agencies" with guidance on the use of Indigenous Knowledge for Federal agencies. The guidance helps agency leaders with understanding indigenous knowledge, growing and maintaining relationships with tribal nations and indigenous peoples, as well as how to include, apply and consider indigenous knowledge in research, policies and decision making. View the Guidance here: <https://www.whitehouse.gov/ceq/news-updates/2022/12/01/white-house-releases-first-of-a-kind-indigenous-knowledge-guidance-for-federal-agencies/>
- On April 1, 2022 the National Marine Fisheries issued a final rule on the designation of critical habitat for Arctic ringed seals and the Beringia population of bearded seals due to the loss of sea ice. While this designation does not impact Alaska Native marine mammal hunting, it does impact activities carried out by Federal Agencies. Any federal activities will be subject to the consultation process defined by section 7 of the Endangered Species Act. Please see NOAA attachment for critical habitat designation.

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In the Courts

- On February 16, 2023, the State of Alaska filed suit in U.S. District Court against the National Marine Fisheries Service to eliminate critical habitat designations for Arctic Ring Seals and the Beringia population of bearded seals. The area covers 324,105 square miles of coastal waters of the Beaufort, Chukchi and Bering Seas. The lawsuit states, "NMFS did not explain the impacts of oil and gas activity, marine shipping, transportation, or commercial fishing will be managed through the section 7 consultation process.

Science Updates

- **Norseman II - June 5, 2023-July 2, 2023** - Walrus abundance, survival, and reproduction.
- **Science Vessels 2023-** for an overview of science vessels operating in Alaska waters by region, please visit the IARPC Collaborations <https://www.iarpc collaborations.org/research-expeditions.html>
- **North Pacific Research Board** - the Request for Proposals for the 2024 Core Program of the NPRB will be issued in October of 2023. While recommendations are welcome year-round, if you have research recommendations for the 2024 RFP, please submit them by Friday June 30 via a form here: https://nprb.org/core-program/#research_suggestions
- **Arctic Research Plan** - the Interagency Arctic Policy Research Committee, a subcommittee of the National Science and Technology Council in coordination with the U.S. Arctic Research Commission released its Arctic Research Plan for 2022-2026

Science Publications

The **State of Alaska Department of Fish and Game** has published three research papers on bowhead whales, beluga whales, and walrus. The pacific walrus utilizes the Bering Sea ice for resting, breeding and giving birth during the months of November - March. During the months of May through October, walrus can be found on the ice of the Chukchi sea. They also may haul out along the western Arctic shores of Alaska between August and October. The Arctic is warming at twice the global average and experiencing an increase in vessel traffic. With funding support from the Bureau of Ocean Energy Management, the US Fish and Wildlife Service, and the United States Geological Survey authors Taylor, Jay, Beatty, Fischbach, Quakenbush, and Crawford published an article in the March 2023 edition of *Ecosphere* published by the Ecological Society of America entitled "Exploring effects of vessels on walrus behaviors using telemetry, automatic identification system data and matching". The paper explores the influence of marine vessel traffic on pacific walrus behavior.

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Featuring News from ***Sealaska Heritage Foundation***:



The harbor seal workshops weave together both Indigenous Knowledge and western science. Our subsistence hunters share their

seals with the schools. They discuss ethical harvest of the seal, cultural traditions, and traditional uses of the various parts. The biologist instructs and assists the students in collection and measuring many aspects of the seal and collection of samples for scientific research. The samples are put on ice and brought to the Museum of the North, the repository for marine mammal samples in the Pacific Northwest.

Researchers from around the world can use those samples in their research.

Our Native knowledge holders instruct and assist the students in skinning, preserving and cooking the seal. The fat is rendered and jarred, the hides are tanned, and the meat is frozen. A biologist and Native knowledge holder assist each other and the students during the entire workshop, working side by side.

HUNTER NOTICE:

Reporting for injured, distressed or dead marine mammals:
National Marine Fisheries Service Alaska Stranding Hotline 1-877-925-7773

For sea otters, walrus, or polar bear contact the US Fish and Wildlife Service
1-800-362-5148