From: Carol Koppelman
To: MakahDEIS.nwr@noaa.gov;
Subject: Attn: 2008 Makah DEIS
Date: Sunday, June 08, 2008 10:27:34 PM

To Whom It May Concern:

I do not support allowing the hunting of whales by any citizen of the United States, including members of the Makah tribe.

Article IV of the 1855 Treaty with the Makah states "The right of taking fish and of whaling or sealing at usual and accustomed grounds and stations is further secured to said Indians *in common with all citizens of the United States*… (emphasis added)."

Currently, the citizens of the United States do not have a right to hunt whales. If there is no right of the citizens of the United States to hunt whales, there is no right in common that exists for the Makah to have. Stated in another way, if there is no right in the first place, there is no right for the Makah to hold in common. Supporters of Makah whale hunting seem to have conveniently ignored the language of the treaty that preserves the right in common. But words in treaties and legal documents can not be ignored for convenience; every word has to be read and accorded its full weight.

While the federal agencies have stated that the September 2007 illegal hunt by five members of the tribe have no bearing on the current DEIS, I believe that the five men's actions can not be ignored. Four of the five men involved in the illegal hunt were involved in the sanctioned 1999 whale hunt. Thus, these men were the tribe's chosen representatives to conduct the sanctioned hunt. Yet in September 2007, there is no evidence that what the five men did was ever a serious whale hunt. It was grown men with high-powered weapons out to take uncoordinated shots at whales. Moreover, whaling involves more that the gun crew; it involves others to tow the slaughtered whale to shore to "harvest" the meat. There is no evidence that there was any support crew or boats involved. Without those, how can these five men argue that this was a serious hunt to harvest food for sustenance? Rather, that hunt, conducted primarily by men chosen by the tribe as its premier hunters, was a cruel and thoughtless thrill ride that involved shooting at defenseless animals.

While supporters of whale hunting argue that the gray whale populations are healthy, some scientists argue that gray whale populations are actually declining. Researchers at Sanford University and the University of Washington are concerned that gray whales that they have observed in recent years are starving. With the general unhealthiness of the world's oceans, this is not surprising. Further, scientists now estimate that gray whales once numbered 96,000 in the North Pacific Ocean. Although there has not been an official count of the population since 2001, the gray whale population may be as low as 15,000, or as high as 22,000. A population of 20,000 is hardly a resurgent population of an animal that once

numbered close to 100,000.

Until the National Marine Fisheries Services does conduct a scientific count of the gray whale population, unfounded estimates should not be used to sanction killing an animal that has been on the endangered species list. Indeed, it may be that a count will indicate that the gray whale should be back on the endangered species list.

Finally, hunting is not about swiftly and efficiently killing every animal. As the illegal hunt shows, hunting involves the wounding and prolonged death of many animals, more than just the one that is successfully killed and brought to shore. Since experienced tribal hunters in September could not manage to swiftly kill a whale even though they struck it four times with a harpoon and shot it at least 16 times with a high caliber rifle, we can expect that many whales will be wounded and die painful, prolonged deaths at the hands of Makah whalers.

If the Makah do not hunt whales, they do not have to lose their whaling culture. Rather, they can take positive actions to protect whales, and promote the wonder and value of live whales, rather than killing them. The Makah could take the forefront in promoting the restoration of large and healthy whale populations, and promote compassionate treatment of marine animals by all peoples. Drawing on their traditional knowledge and culture of whaling, tempered with the modern sensibilities of valuing animals' lives and American's anti-whaling values, the Makah could advance their whale culture into the 21st century.

Thank you,
Carol Koppelman