From: Taffy Lee Williams
To: MakahDEIS.nwr@noaa.gov; ny4whales@optonline.net;
Subject: 2008 Makah DEIS
Date: Friday, August 15, 2008 4:35:03 PM

August 14, 2008

Steve Stone
NMFS Northwest Region
1201 NE Lloyd Blvd., Suite 1100
Portland, OR 97232
Fax 503-230-5441
Re: 2008 Makah DEIS
MakahDEIS.nwr@noaa.gov

Dear Mr. Stone:

In the matter of the 2008 Makah DEIS, my organization requests that the Makah DEIS be declared invalid immediately. The public has not been served properly with an unbiased and thorough document by a contractor that has no connections to the tribe. The public is not able to respond properly to this document. The DEIS fails to meet the guidelines NEPA and requirements.

The preparation of the DEIS by Parametrix, Inc. invalidates the DEIS for numerous reasons. It is inadequate, misleading and biased in favor of whaling. As it is, the DEIS is inadequate for public review.

Parametrix, Inc., was contracted and paid through NOAA/NMFS by US taxpayers, to provide an objective, unbiased, thorough and knowledge-based document on this issue to the public. Yet the document is neither thorough, objective, unbiased or knowledge-based. As a matter of fact, it was discovered that Parametrix, Inc. has such numerous deeply-entrenched and visible financial connections to the tribe that awarding this contract to them was a miscarriage of justice to all US citizens. Indeed, such a contract makes a mockery of the environmental review and SEQRA process, negates everything except a wholly superficial conformity to NEPA guidelines. This DEIS is an insult to everyone.

Parametrix, Inc. has very publicly supported whaling by the Makah as seen during their Corridor Management Plan which was to help the tribe "interpret" whaling to tourists. They in fact stated several times in the DEIS that their intentions were to "improve whaling-tourist relations". Parametrix, Inc.'s role as a DEIS preparer was not to promote whaling, but

to report objectively on the impacts that whaling would cause. Parametrix, Inc. was incapable of presenting objective information and again reaffirms that this document must be declared invalid. Parametrix states in its unacceptable DEIS that "more visitors would be drawn to the area than avoid the area as a result of a whale hunt," an absurd statement since watching whales being slaughtered is on no other "whaling" nation's tourism agenda, and we have seen the numerous adverse impacts that a whale hunt on nearby whale-watch boats.

Parametrix, Inc.'s closely-related company, TranTech, was in charge of overseeing the $10 million Tribal Byway paving project through Neah Bay. This and Parametrix Inc's connections with the Neah Bay wave energy project which would also benefit the Makah, would have been sufficient grounds for NOAA/NMFS to avoid mention of Parametrix, Inc. in the DEIS. One wonders how could NOAA/NMFS choose Parametrix, Inc. to prepare this document?

Parametrix, Inc. did not even report on the impacts of a whale hunt on tourism in the surrounding county (Clallam); however, local residents have stated on the record that there were negative economic impacts. Unbelievably, Parametrix Inc. dismisses national and international public opinion which has found that 83% of the US public is opposed to whaling!

Since NOAA failed to provide the most essential information to the public in order to facilitate proper comments, this DEIS must be declared invalid. Perhaps the most relevant event that occurred just recently and prior to the DEIS comment period was the September 7, 2007, illegal slaughter of a protected gray whale by 5 renegade Makah. The whale was shot 16 times and languished for a dozen hours. Yet NOAA/NMFS did not release information about the case to the public, which would have only fairly given commentators an important glimpse into the tactics of Makah whaling!

The proposed law states the whales "struck but not taken" will not count! That means whales could be used for target practice by like-minded tribesmen simply because" it's legal. So what? " This can never be allowed to happen. We strongly and vehemently oppose enacting any law that states that a wounded whale "would not count" in the overall take. Since this reduces the action of inflicting a gunshot wound to a whale as "legal"; whales could be exterminated with impunity.

It is widely understood that the Makah tribe, centered around the waters of Washington State in the US Pacific Northwest, do not present a subsistence need for whale meat. It is well-known that the Makah ceased regular

whaling activity in the early 20th century. It is also well-known that only a handful of Makah tribe members are proponents of the whale hunt.

Is this a case of a few bullies in the tribe - a few mean-spirited individuals not ashamed to inflict hours and hour of torture on a suffering whale? Of the case in question, the 5 Makah, which many call "inept", shot the whale 16 times but did not kill it! Could they have been inebriated or having some kind of party? What could have been sacred about this? Whatever, they acted alone - the whale hunt was in defiance of Makah tribal law as well as US law and the Marine Mammal Protection Act! The DEIS fails to acknowledge that the tribe's people were so unaffected and disinterested in the killing of the whale that it left the job of butchering to visitors! It was even reported that most did not like the taste and quietly threw it away! What's more, the whale meat was distributed to non-Native Americans, even taken to Canada. Again, what kind of sacred tribal ritual was this? This information was omitted from the DEIS as well.

Some believe that the pro-whaling faction within the Makah have intimidated those who openly oppose resuming a whale hunt. The question remains why do a few want a whale hunt? Is it because there is a lucrative trade in whale meat to Japan or Norway? Or is it more likely because the Japanese might subsidize the whale hunt, and use the Makah issue to gain small coastal whaling rights with the IWC? Indeed, at the IWC, pro-whaling groups scream about the indigenous rights; they could scream in this case also even though there is no tradition of whale hunts in the Makah tribe.

What is at stake is a species of whales that are said to be "in recovery". However, the latest estimates are raising new fears, as whales are struggling through the seas plagued by oceanic dead zones, pollution, overfishing and global warming, that gray whale numbers are again falling. In fact the most recent population estimates show the gray whales may be in trouble again. There is no justification to allowing a take of gray whales by this tribe.

Regardless of the status of the gray whale population the DEIS is a miserable failure of a document and must be declared invalid immediately.

Sincerely,

Taffy Williams, Director
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