



MAKAH TRIBE

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Makah Tribal Council

For Immediate Release
April 4, 2019

NOAA Fisheries Announces Next Step in Its Review of the Makah Tribe's Effort to Resume Treaty Whaling

NOAA Fisheries intends to publish a proposal in the Federal Register on Friday, April 5 that could authorize the Makah Tribe to resume limited whaling under the 1855 Treaty of Neah Bay. The proposal responds to an application submitted by the Tribe in February 2005 requesting a partial waiver of the moratorium on taking marine mammals in the Marine Mammal Protection Act (MMPA). If approved, the proposal could enable the Tribe to conduct ceremonial and subsistence hunting of gray whales in Pacific Ocean waters near its reservation on the northwest tip of Washington's Olympic Peninsula. Eastern North Pacific gray whales were removed from the Endangered Species List in 1994 and currently number around 27,000.

The Tribe's treaty secures "the right ... of taking whales." However, in 2002 a federal court ruled that to exercise that right the Tribe must first obtain a waiver of the MMPA's take moratorium.

NOAA Fisheries' proposal would authorize the Tribe to land up to three gray whales in even years and one gray whale in odd years, with restrictions to protect Pacific Coast Feeding Group whales and whales that might migrate from Asia. The proposal contains detailed provisions to regulate and monitor the hunt in addition to those in the Tribe's own whaling ordinance. The proposal has been thoroughly reviewed by NOAA scientists and the International Whaling Commission's Scientific Committee, which determined that it would protect all affected populations of gray whales. NOAA Fisheries also consulted with the Marine Mammal Commission before publishing the proposal.

The proposal begins a formal rulemaking process that will involve a hearing before an administrative law judge, a recommendation on the proposal by the judge, and a final decision by NOAA Fisheries. The Tribe and interested members of the public will have an opportunity to participate in the hearing. If the waiver is approved, NOAA Fisheries would also need to issue an MMPA permit to the Tribe and complete a draft Environmental Impact Statement (EIS), based on the draft EIS issued in March 2015, along with other required administrative approvals before the Tribe can resume whaling.

"The Makah Tribe welcomes this important development in our long effort to resume whaling after the recovery of Eastern North Pacific gray whales and to once again exercise

Makah’s treaty right,” said Makah Tribal Council chairman John Ides, Sr. “We look forward to the next step in this process and hope it will soon allow our people to have consistent access to whale meat, oil and other products to meet our subsistence and cultural needs.” Council member Patrick DePoe added, “the Makah people have an enduring relationship with the sea and all marine creatures, but that connection is especially strong with whales, which are central to our identity as a people.”

For additional information and media requests, please contact Rosina DePoe, Chief of Staff at 360-645-3237 or media.relations@makah.com.