

RIGHT WHALE NEWS

*An independent forum for right whale conservation and recovery,
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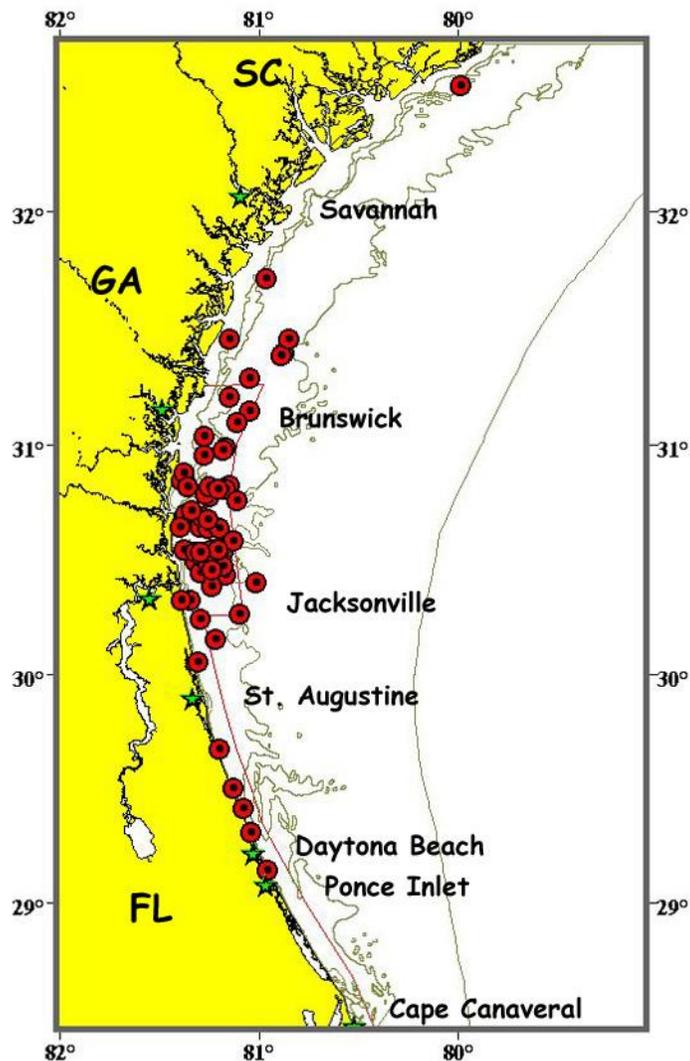
February 2013

SEUS Mid-Season Summary

Warm water. Few whales. Northerly distribution. Human impacts. No two seasons are ever the same. As of 25 February, there are 19 mother-calf pairs reported for the Southeastern U.S. (SEUS) calving and wintering grounds—an improvement over the seven from last year, but fewer than the average of 22. Human impacts continue to be an issue (see below). In addition, earlier in the season, on 19 December 2012, a two-year old male (the offspring of female # 3293) came ashore in north Flagler Beach, Florida, entangled in fishing gear (see page 6).



The 2013 calf of Female #1612 was struck sometime between 21 and 29 January 2013. Subsequently, this mother-calf pair was approached by paddleboarders off Flagler Beach, Florida, on 5 February 2013. This was in violation of the federal 500-yd approach rule, but perhaps more importantly, introduced a human-safety dimension. These events have resulted in continuing and improving education and awareness efforts. (Photo: S. McKenney, Marineland Right Whale Project).



Right whale sightings for a three-week period during the SEUS mid-season, 21 January through 10 February 2013, provide a general impression of sighting distribution for the season. Generally warm waters (similar to last season) correlate with a more central/northerly distribution, few sightings south of St. Augustine, and none south of Cape Canaveral. (For comparison, refer to the plot on p. 3 of the May 2010 RWN.) The collaborative sightings data were contributed by the Marineland Right Whale Project, Florida Fish and Wildlife Conservation Commission, and the Sea to Shore Alliance.

Of the 16 mother-calf (MCs) pairs reported to be present in the sampling period above, 15 were sighted during this 3-week period. Each pair was sighted an average of 3 times (range = 1 to 5). Female # 3520 was not sighted during the sample period (this pair has not been sighted since first seen on 23 December 2012) and female # 1946 and calf were sighted on only a single occasion. Two additional MC pairs have been added—# 3515 and calf on 12 February and #3692 and calf on 18 February.

According to Philip Hamilton, New England Aquarium, the most striking change is the near absence of juveniles. Only 17 juveniles have been reported from the 2013 SEUS season to date.

And, correspondingly, there is a general absence of the large groups of 5, 8, and 15 that are often sighted. Hamilton describes that juveniles were never a large component of the SEUS whales until the early 2000's. Their presence there in that decade increased to a peak of 150 or so, which suggested that they must have gained some benefit from being there as opposed to feeding up north. But, what that benefit was is only speculative (energetically more advantageous in some way, or forming alliances that serve them in the future are two that come to mind). Clearly these animals are able to respond quickly to changes in their environment as witnessed by the abandonment of Great South Channel in the early 1990's and the recent near abandonment of the Bay of Fundy. This year's changes in the SEUS are just another indication of right whales responding to conditions that we do not fully understand.

There are further unusual aspects to the season. A MC pair (ID unknown) was reported off Miami on 9 January. A calf birth was reported to the north (see article below), and aggregations of whales off New Jersey were reported by the U.S. Coast Guard on 14 January and 7 February. Weather, whales, and humans—an uncertain and puzzling mix.

Mother and Two-Week Old Calf in Cape Cod Bay: First in 27 Years

*Contributed by Regina Asmutis-Silva, Whale and Dolphin Conservation,
Plymouth, Massachusetts*

On January 12th, local fishermen reported what they believed to be a single 12-foot pilot whale in Plymouth Harbor, and indicated the animal had been in the outer harbor for several days. Staff from Whale and Dolphin Conservation (WDC) responded by vessel, the M/V *Easterly*, and determined that the sighting was of a small North Atlantic right whale. After receiving authorization from the National Marine Fisheries Service to approach, WDC confirmed it was a mother and calf pair.

The pair was in relatively shallow water (9-18m) and, while the calf remained almost constantly at the surface, the mother rarely surfaced and, when she did, little but her head was visible. Due to the behavior of the animals and the overcast conditions, the crew was unable to determine if injuries or gear were present. As a result, an aerial survey team from the Provincetown Center for Coastal Studies (PCCS) was enlisted to photograph the pair. The whales were determined to be gear-free and PCCS identified the mother as *Wart*, last seen in 2010 when she was disentangled from fishing gear she had been carrying for roughly two years.

Five days after the initial sighting, on 17 January, WDC photographed the pair from land, within 0.5 miles of shore off the cliffs at Manomet (central Plymouth), Massachusetts, 12.5 m above sea level. The Army Corps of Engineers issued a temporary closure of the Cape Cod Canal on 20 January when the pair was located by the breakwater at the east end of the Canal. The following morning, a security officer from the Pilgrim Nuclear power plant notified WDC that *Wart* and her calf were in close proximity to the breakwater within the exclusion zone of the plant.

On the afternoon of 21 January, researchers from PCCS, NOAA's Northeast Fisheries Science Center, Massachusetts Department of Marine Fisheries, and WDC located Wart and her calf in approximately 5m of water off Gurnet Point at Plymouth's outer harbor. No obvious health concerns were noted, though zooplankton samples obtained by PCCS appeared to be insufficient for foraging. Water temperature in the harbor was at least 10°C lower than off Fernandina Beach, Florida, a typical right whale calving habitat.

While the last confirmed sighting of the pair was on the 21st, scallop fishermen reported what was believed to be Wart and her calf off Race Point, Provincetown, on 29 January. No additional sightings have been obtained since that time.

Researchers at PCCS and the New England Aquarium report that this is Wart's first calf in 8 years and estimated the calf was no more than two weeks old. This is the first mother and calf right whale sighting in Cape Cod Bay in January in 27 years and may be the earliest documented birth in the Northeast Region (recall that Patrician *et al.* 2009 documented a newborn right whale in the Great South Channel in June 2007).



What would be an exciting sighting in the Southeast U.S. is historically remarkable in Cape Cod Bay. Female, Catalog # 1140, Wart, and recently born calf were sighted in January 2013—the first and only such sighting in 27 years.

Southeast Implementation Team: Open Meetings

Beginning with the May 2013 meeting, the Southeast Implementation Team (SEIT) meetings will be open to the public. When the Team was reorganized by the Southeast Regional Office/NMFS in June 2010, and a smaller members group (12) was identified, the subsequent meetings were closed (see *RWN* December 2010). Although it was described that the closed meetings would exist only for one or two meetings—until the Team became familiar with each other and the process—the closed meetings continued for two years. However, in a letter dated 21 December 2012, Southeast Regional Office Regional Administrator, Roy E. Crabtree, wrote

that, “ ... [I] agree that the SEIT is a good model for effective endangered species recovery, and for inclusive activities and management. Both the SEIT and I agree that our process for developing and publicizing meeting agendas can be improved. To address this, the SEIT will issue a call for agenda items at least 3 weeks in advance of SEIT meetings. The SEIT will also ensure draft agendas are available at least 2 weeks in advance of SEIT meetings. I also agree that SEIT meetings should generally be open to the public. However, if the team requires time to deliberate issues, working sessions may be conducted that are not open to the public. My staff will work with the SEIT prior to each meeting to maximize the portions of the meeting that are open to the public and minimize the portions of the meeting the SEIT may close for deliberation purposes.” The letter from Dr. Crabtree came, at least in part, in response to a letter by Jim Hain, Associated Scientists at Woods Hole (and Editor of *Right Whale News*), dated 21 September 2012.

Right Whale Obstacles and Issues, and an Educational Video

Contributed by Sue Rocca, Whale and Dolphin Conservation, Plymouth, Massachusetts

North Atlantic (NA) right whales continue to face daunting obstacles to the species’ recovery. To raise awareness and public support for strengthening legal protections, Whale and Dolphin Conservation (WDC) has launched the **Act Right Now** campaign targeting the three most pressing threats to the species’ survival: vessel strikes, entanglements, and critical habitat. Despite a joint petition filed by The Humane Society of the United States (HSUS), Center for Biological Diversity (CBD), Defenders of Wildlife (DoW), and WDC, NOAA has yet to take action to extend the Right Whale Ship Strike Reduction Rule past its 9 December 2013 expiration date. The petition not only requests the rule be extended in time, but also to increase protection 30 nautical miles out from shore as was originally intended; mandate compliance in Dynamic Management Areas; and consider including all vessels in the rule, rather than those only over 20m in length. This request was reinforced by a possible right whale that may have been seriously injured as a result of a strike from a 46 ft recreational vessel off Ossabaw Island, Georgia, on 7 December 2012 (a large pool of blood was reported, but no carcass or injured whale was sighted).

Sadly, the death of an entangled right whale in Florida this winter, 19 December 2012 (photo next page) also highlights the need to expedite a rule that would reduce the risk of entanglement in vertical line. In February 2012, the conservation representatives of the Atlantic Large Whale Take Reduction Team, including WDC, asked NOAA’s National Marine Fisheries Service to include additional gear types and areas, including some currently exempted, and a viable monitoring and enforcement protocol.

The 1994 designation of NA right whale critical habitat does not adequately reflect what is currently known about right whale habitat use. As a result, in 2009, CBD, HSUS, DoW and WDC petitioned NOAA to expand protection for calving grounds off Georgia and northern Florida, additional protection for critical feeding habitat off the Northeast, and include the migratory route between calving and feeding grounds. After the groups filed a legal complaint in 2010, NOAA responded, indicating the petition was warranted. There has been no additional

progress to date. On 30 January of this year, the groups sent a letter formally requesting that NOAA take action.

In an effort to garner public support to secure these enhanced protections, WDC developed **Act Right Now**, the feature of which is an eight-minute educational video introducing not only the threats, but how the public can become involved in saving this species. The video can be viewed and downloaded at <https://vimeo.com/54951088>. Please contact Sue Rocca, Campaign Manager, at sue.rocca@whales.org for more information.



The beginning of the SEUS season was punctuated by the death of a two-year-old right whale that came ashore just south of Beverly Beach, Florida. The individual was identified as the 2011 calf of Female Catalog #3293, Porcia. Entanglement in fishing gear was evident. (Photo: B. Smith, Marineland Right Whale Project)

Money and Budget: Sequester and the CR

As this issue of RWN is posted, the sequester is upon us. In addition, the Continuing Resolution for the federal budget expires on 27 March 2013. Dr. Philip Joyce, a budget expert at the University of Maryland, describes that CRs have become more challenging in recent years. He says that in the past, the uncertainty created by CRs was over timing—when the money would be available. Now, he says, a parallel uncertainty is the level of funding—how much money will

ultimately be available. The combination of these twin uncertainties may be particularly evident in FY2013.

Key Outcomes Memorandum Posted

The summary document for the 15-16 October 2012 Southeast Implementation Team Meeting has been posted at sero.nmfs.noaa.gov/pr/southeastimplementationteam.htm.

Recovery Plan for North Pacific Right Whale: Review and Comment

NOAA Fisheries is requesting public review and comments on the recently released Draft Recovery Plan for the North Pacific right whale. The deadline for comments is 11 March 2013. The Draft Recovery Plan is available online at <http://www.nmfs.noaa.gov/pr/recovery/plans.htm>. The website to submit comments is <http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0003>

People and Changes

Joe Pelczarski retired in October 2012 from the Massachusetts Coastal Zone Management Program. In the 1990's, Joe got involved as CZM's representative to the Northeast Implementation Team and became its Secretary. While at CZM, Joe maintained several e-mail lists, and marine mammal information soon became part of the distributed information. Joe scoured the daily news and the *Federal Register* to keep CZM staff and the marine mammal community up to date. These advisories and notifications were valuable. It is not clear at this writing whether CZM will continue this function.

Calendar

12 March 2013. Marine Mammal Commission's Review of National Research and Conservation Priorities, 4th meeting in the series, Northwest U.S. region. Seattle, Washington. Meeting location and details available on the Commission's website (www.mmc.gov) or from Tim Ragen (tragen@mmc.gov) as the date approaches.

26 March 2013. Marine Mammal Commission's Review of National Research and Conservation Priorities, 5th meeting in the series, Pacific region. Honolulu, Hawaii. Meeting location and details available on the Commission's website (www.mmc.gov) or from Tim Ragen (tragen@mmc.gov) as the date approaches.

April 2013. Marine Mammal Commission's Review of National Research and Conservation Priorities, final meeting in the series, Washington, D.C. Meeting date, location, and details

available on the Commission's website (www.mmc.gov) or from Tim Ragen (tragen@mmc.gov) as the date approaches.

7-9 May 2013. Marine Mammal Commission's Annual Meeting, probably in La Jolla, California. Meeting location and details available on the Commission's website (www.mmc.gov) or from Tim Ragen (tragen@mmc.gov) as the date approaches.

16 May 2013. Meeting of the SEIT's Right Whale Forum in the Education Center of the Guana Tolomato Matanzas NERR in St. Augustine Florida. This meeting is open to the public, will begin at 9:00 am and should conclude by 4:30 pm. Lodging information, a RSVP request, and other meeting details will be sent in a future email. The SEIT is interested in receiving agenda items to consider for discussion topics or information updates at the spring meeting. Please send the topic(s) and any supporting details to Tom Pitchford (tpitchford@myfwc.com) by 28 February 2013.

17 May 2013. Meeting of the Southeast U.S. (SEIT) Right Whale Implementation Team at the Guana Tolomato Matanzas NERR in St. Augustine Florida. With the possible exception of deliberation sessions by the Team (see article on p. 4), this meeting is open to the public. Some details yet to be finalized. For further information and agenda, contact Barb.Zoodzma@noaa.gov or Leslie.Ward@MyFWC.com as the date approaches.

6-7 November 2013. North Atlantic Right Whale Consortium Annual Conference, New Bedford Whaling Museum, New Bedford, Massachusetts.

9-13 December 2013. Society for Marine Mammalogy Biennial Meeting. New Zealand.

Scientific Literature and Reports

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Right Whale News

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