

RIGHT WHALE NEWS

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Senators Ask for Funds to Help Lobstermen Comply With New Whale Rules

Nine U.S. Senators from northeastern states have asked for federal funds to help lobster fishermen comply with new rules designed to protect whales. On October 5, the National Marine Fisheries Service (NMFS) published a final rule that requires most lobster fishermen to replace floating ground lines between traps with sinking lines. The new rule becomes effective October 1, 2008 (*Federal Register* 72(193): 57104-57194). Senators Olympia Snowe (R-Maine), Jack Reed (D-RI), Susan Collins (R-Maine), Edward Kennedy (D-Mass), John Kerry (D-Mass), John Sununu (R-NH), Sheldon Whitehouse (D-RI), Charles Schumer (D-NY) and Hillary Rodham Clinton (D-NY) have asked Commerce Secretary Carlos Gutierrez and Office of Management and Budget Director James Nussle to make funds available from the current FY08 budget to help lobstermen purchase sinking rope, and to include at least \$14 million in the FY09 budget to help pay for the ongoing costs of compliance with the new rules.

The NMFS and the Maine Lobstermen's Association (MLA) disagree about the estimated cost of compliance. For instance, NMFS estimates that the cost of replacing groundline on an inshore lobster boat would be \$8,100, while the MLA estimates \$10,000 to \$15,000. NMFS estimates the costs for offshore boats at \$37,000; the MLA says the cost could be as high as \$85,000.

The Senators wrote: "Helping lobstermen comply with the new regulations will ensure that we continue our collective efforts to protect the endangered right whale but not at the expense of our nation's fishermen."

Ship Strike Reduction Act Introduced

On February 20, Senator John Kerry (D – Mass) introduced legislation to protect North Atlantic right whales from injury and death from ship strikes. The Ship Strike Reduction Act of 2008 would require the Bush Administration to finalize a rule establishing a ten knot speed limit for vessels over 65 feet in length in the migratory paths of right whales. The proposed rule was published in June 2006 and the draft Final Rule was sent to the Office of Management and Budget in February 2007.

In a statement accompanying the legislation, Senator Kerry said: "The Bush Administration needs to stop dragging their feet, follow the best available scientific

evidence, and take immediate action to protect endangered right whales. A continued delay in finalizing these protections will result in even more deaths that are easily avoidable, and push the species closer to extinction.”

Coast Guard Studies Port Access Routes Through the Great South Channel

The U.S. Coast Guard is conducting a Port Access Route Study (PARS) on the area east and south of Cape Cod, Massachusetts. This area includes habitat designated as critical for the North Atlantic right whale, the mandatory ship reporting system area, and the Great South Channel, including Georges Bank out to the Exclusive Economic Zone boundary. The purpose of the PARS is to analyze potential vessel routing measures that might help reduce the number of right whales struck by ships, while minimizing adverse effects on vessel operations. Information on the PARS was published in the *Federal Register* November 19 (vol. 72, no. 222: 64968-64970).

The Marine Mammal Commission submitted comments on the proposed PARS, recommending, among other things, that evaluation of an acoustic monitoring network should be included in the study. The MMC suggested that a real-time passive acoustic monitoring network along the entire Boston traffic separation lanes east of Cape Cod and Nantucket Shoals might be used to trigger speed restrictions whenever and wherever right whale calls are detected. The MMC also recommended the evaluation of designating the entire Boston traffic separation system as a mandatory vessel traffic route. (A copy of the MMC letter can be found at their web site, www.mmc.gov)

Report from the Calving Ground

Editor's note: This compilation is based on the work of the Wildlife Trust, the New England Aquarium and the Florida Fish and Wildlife Conservation Commission.

As of February 20, 17 calves have been reported. Thirteen calves have been darted for biopsy sampling. A minimum of three calves have died, possibly four. One calf stranded near Ormond Beach, Florida, on January 25, and one stranded in Mayport, Florida, on February 15. Female #1301 is known to have lost a calf this season (she also lost a calf in March 2006). The carcass of #1301's calf has not been found. Female #3180 is also known to have lost a calf this season. It is not known at this time if the calf that stranded on February 15 is #3180's or not. After losing calves to a ship strike and entanglement, respectively, in the 2006 season, females #1243 and #1802 returned to give birth this season. Of the 17 confirmed births, five were to first-time mothers.

Reports of entangled whales include #3333 (a 5 year-old male), and #3346 (Kingfisher, also a 5 year-old male). A previously entangled whale, #3260, was reported to be no longer entangled as of February 14. One yearling (2006 calf of #2645) was reported

swimming in between the jetties at the St. Johns River entrance. The U.S. Coast Guard closed the commercial port for approximately 45 minutes until the whale cleared the channel.

The Right Stuff for Right Whales – A 2007 Success Story

The Association of Zoos and Aquariums has named its top ten wildlife conservation success stories for 2007. Among the top ten: The New England Aquarium's Right Whale Research Project for developing a test to learn more about the reproductive rates of the endangered North Atlantic right whale.

Disney Names Conservation Hero

The Disney Wildlife Conservation Fund has recognized Cynthia Dolaway of Palm Bay, Florida, as one of nine "Conservation Heroes" worldwide, only two of whom were Americans. Ms. Dolaway coordinates volunteers for the nonprofit Marine Resources Council (MRC), helping them track right whales and document their locations. She was also recognized for "her charisma as an ambassador" educating the public about the conservation of right whales and sea turtles. The award included a \$1,000 gift for Ms. Dolaway. The MRC was also awarded a separate \$10,000 grant to support its right whale monitoring program, including the purchase of educational materials and equipment. The MRC right whale monitoring program is described in Frank Gromling's *Frank's Whales* (Ocean Publishing, Flagler Beach, FL).

FY08 Right Whale Funding: A Preliminary Report

Phil Williams, Protected Species Program Manager, NMFS, reports that the FY08 Congressional appropriation for right whales is similar to FY07 – at \$7.875 million. Except for adjustments to address salary increases and program costs, the spending plan breakdown also will be similar to last year (see *Right Whale News* 14 (2): 12, May 2007). Internal discussions at NMFS are in progress and *Right Whale News* will provide an updated report in the May issue.

Changes

Dr. William Hogarth, Director of the National Marine Fisheries Service, retired in December to become Interim Dean for the College of Marine Science at the University of South Florida. Dr. Hogarth joined NMFS in 1994 and became Director in 2001.

Dr. James W. Balsiger, Regional Administrator for NMFS's Alaska Region, has been named Acting Director of NMFS. Dr. Balsiger's background includes being Deputy

Director and Regional Science and Research Director of the Alaska Fisheries Science Center in Seattle. He holds a doctorate in quantitative ecology and natural resources management from the University of Washington in Seattle.

Lieutenant Paul Kunicki, a NOAA Corps officer, recently began work for the Protected Resource Division of NOAA's Fisheries Service Southeast Regional Office as the Right Whale Maritime Liaison Officer. Among other responsibilities, he will serve as coordinator for disentanglement from small boats, assist in survey aircraft operations, and aid in education and outreach communications within and outside of NOAA on right whale issues.

Kristin Thoms, outreach specialist with the Protected Resources Division of the SE Regional Office of NMFS, has resigned to take a position as Communications Specialist for the Coalition for Buzzards Bay in New Bedford, Massachusetts. She can be reached at the Coalition at 508-540-6222. Among Kristin's duties at NMFS was serving as Target Audience Coordinator for the Southeast Implementation Team's Education and Outreach Steering Committee.

The **Marine Mammal Commission** has moved two floors down to Room 700, 4340 East-West Highway, Bethesda, MD 20814.

The protocol for submitting data and photographs to the **New England Aquarium's** North Atlantic right whale identification database has been updated. Go to <http://rightwhaleweb.org/papers/pdf/photosubmissionguide.pdf>

Leviathan: The History of Whaling in America

*A Review by Michael P. Dyer, Librarian and Maritime Historian,
New Bedford Whaling Museum*

In *Leviathan: The History of Whaling in America*, by Eric Jay Dolin (2007), the author attempts to capture the broadest view of American whaling history, spanning over two hundred years, while still maintaining the intimacy of detail that enriches this exciting story. Such a daunting task has been generally avoided because a complete analysis of the extensive documentation of this industry would result in a book much closer in size to an encyclopedia of multiple volumes rather than one single volume. He has nonetheless generally succeeded in writing such a thorough overview.

As part of a laudable series of whaling and maritime titles published by W.W. Norton & Company over the last decade or so, *Leviathan* attempts to consolidate the subject. In his introduction Dolin writes:

Thousands of American ships manned by tens of thousands of men killed hundreds of thousands of whales, which were processed into products and profits that in turn created great

fortunes and spurred the formation and growth of the nation.

Based upon this sturdy foundation, Dolin systematically proceeds with the chronological analysis of his sources, supporting and underscoring this primary idea. The book is in three parts: “Part One: Arrival and Ascent, 1614-1774” covers much of the subject also handled by Alexander Starbuck in his 1876 *History of the American Whale Fishery*, but Dolin writes about aspects of early American whaling that Starbuck simply could not cover. There are resources available today that were not available in 1876, such as broad and consolidated collections and keyword searching capability, and Dolin availed himself thoroughly of these advantages. The story of seventeenth and early-eighteenth century Long Island whaling, for instance, and its relationship to the larger development of the industry is clearly outlined. The whole candle trade of the mid-to-late eighteenth century is covered with an insight that not even Elmo P. Hohman in *The American Whaleman* (New York, 1928) achieved to the same extent or as well. Dolin culls much of this problematic early American whaling history, and as there is (apparently) only so much original material preserved from this period, its examination and further public attention is important for the reader to know. The sources that exist, however, Dolin shares generously and in many ways this is the most important section of the book. The formative years, the skilled facility with which American colonists pursued this industry, the imperative of their trade with England, and the impact of the American Revolution are all aspects of American history that pre-figure the country’s exceptional maritime prowess later in the 19th century.

The second and third parts of the book, the years of ascendancy and decline, 1774-1924, cover the period of American whaling history best documented and most commonly encountered in other books on whaling. As an overview these two parts hit all of the highlights, including the opening of Japan, the famous mutinies, the plights of whalers and their wives, and the panorama of fascinating, gripping and romantic tales commonly associated with the subject. As in Part One, he carefully footnotes his sources, and these footnotes are a feature that will make this book extremely valuable to researchers for decades to come. He cites everything and his bibliography is an extremely good overview.

The most notable shortcomings of the book are the illustrations. They are all good illustrations but they don’t push the text, support the history or even fit properly into the chronology. The pictures of American whaling are of equal importance to the texts and in certain cases, like the scrimshaw of Frederick Myrick, even more so. The same can be said for the development of American whaling technology which paralleled, and was integral to, the success of the industry. The patent drawings of American whalecraft, for instance, speak volumes about the inventiveness of the craftsmen involved in whaling and the necessities that drove them. The dust jacket image ought to have been American. Either of the 1835 American whaling prints by Cornelius Hulsart, or one of the Currier & Ives versions of the French print by Ambrose Louis Garneray that was used on the dust jacket would be preferable to illustrate the history of whaling in America. One of the Benjamin Russell prints like “A Ship on the North-West Coast Cutting In Her Last Right

Whale” would have been superb. It was a missed opportunity to feature those materials in the center of the history where they belong. He has included one picture, however, which may well be one of the earliest images of whaling in North America, a detail of a manuscript map of 1722 showing whaling off Gardiner’s Island, Long Island. The map is in the collection of the Easthampton, NY, Library collection.

For all of his detailed research, Dolin never examines the manuscript sources in the way that some of his predecessors did. Elmo Paul Hohman, for instance utilized manuscript business records to formulate his labor history of American whaling. Briton Cooper Busch in *Whaling Will Never Do for Me* (Lexington, KY, 1994) based the majority of his social history of the American whaleman on primary manuscript materials. Lisa Norling, author of *Captain Ahab Had A Wife* (Chapel Hill, 2000) could only have accomplished her whaling history based upon primary materials, as much of what she wrote about never made it past the personal diaries and letters of the women who penned them.

American relations with the islands of the Azores is not an area of particular focus in *Leviathan*. The islands appear in the volume mostly when they figure in other details of the story. Nevertheless, as background for understanding the basic structure, function and history of the American whaling industry, this is a fine book for Azorian scholars as well as the general reader.

There is a good reason for Dolin’s not particularly concentrating on such specific primary or geographically precise materials. It is not that sort of a book. He is not examining the details of American whaling, but writing on a broader scale, and he succeeds in compacting the history while maintaining its intimacy. The examination and dissemination of manuscript sources, pictorial sources and the “stuff” of American whaling constitute the bulk of the material that pushes this history into a second volume. To be sure, *Leviathan* is as comprehensive, thoughtful and useful a history as has come along in many years. It should be included in every college and university library in the U.S.A. and at the elbow of every serious student of this subject matter.

Acoustics Research Funding Available

Funds for research on underwater noise and its effects on marine animals are available from the Joint Industry Program (JIP), a consortium of international oil and gas companies. In the first quarter of 2008 the JIP will commit approximately \$6.5 million to this research, and another \$2 million in the third quarter. Details of the program, including its participants, policies, research topics of interest, and procedures for application, review, and project selection are available on the JIP website, www.soundandmarinelife.org.

On February 1, the web site posted the following Requests for Proposals:

- Temporary Threshold Shift in the harbor porpoise

- Alerting responses of marine mammals to acoustic sources
- Controlled Exposure Experiments involving whales and air guns
- Behavioral responses of individual fish to air guns
- Characterizing existing acoustic propagation models for air guns
- Inventory of active acoustic methods and technology for detecting marine mammals
- Inventory of existing unmanned aerial systems for detecting marine mammals

Proposals will be due by March 13, and funding decisions will be completed in May.

The JIP web site includes an electronic signup sheet that allows applicants to receive individual notification when future RFPs are released. Contact the JIP Programme Manager at Roger.gentry@comcast.net if you have questions that are not answered by the JIP web site.

Gear-Marking Grants Available

NMFS has provided funds to the International Fund for Animal Welfare (IFAW) to manage a grant program seeking gear-marking techniques that will better describe the factors that cause large whale entanglements in fishing gear. Results will support efforts to devise more effective gear modifications intended to reduce these risks. IFAW will award up to \$70,000 to develop a device or method that can monitor fixed fishing gear (for instance, gillnets and trap/pots). Ideally, the technology will:

- (1) Collect and store descriptive data such as the fisherman, type of fishery, area fished, and date of deployment
- (2) Be portable
- (3) Be durable
- (4) Require minimal time to deploy or attach and maintain over the life of the gear
- (5) Be safe for users
- (6) Have accurate and dependable data retrieval.

The ideal grant proposal will also address the development of potential prototypes, field testing, and the purchase, deployment and replacement costs of the technology.

To view the full request for proposals and to apply, please visit: <http://www.ifaw.org/rfp>

There also are links to the Request for Proposal on NMFS' ALWTRP website (<http://www.nero.noaa.gov/whaletrp/>) and Right Whale Funding Opportunities website (http://www.nero.noaa.gov/prot_res/prgrants/).

Proposals are due by March 31 and awards are planned for June. Work must be completed between June 2008 and July 2009. A variety of applicants are eligible.

For more information regarding this grant program, contact Kate Natrass, IFAW Whale Program Officer, IFAW-Headquarters, 290 Summer Street, Yarmouth Port, MA 02675-1734; knatrass@ifaw.org Phone: 508 744 2095; Fax: 508 744 2089. For more information about gear, please visit the ALWTRP website at: <http://www.nero.noaa.gov/whaletrp/> or contact Glenn Salvador, NMFS Gear Team, NMFS Northeast Regional Office; Glenn.Salvador@noaa.gov Phone : 757 414 0128

Marine Mammal Stranding Regulations Advanced Notice of Proposed Rulemaking

The National Marine Fisheries Service has issued an Advance Notice of Proposed Rulemaking (ANPR) on proposed changes to the regulations governing the taking of stranded marine mammals and the release of rehabilitated marine mammals to the wild (*Federal Register* vol. 73, no. 21: 5786-5788; January 31, 2008).

The ANPR includes a number of proposed changes and clarifications to the existing regulations and asks for comment on a number of specific questions. These include: Should all stranding responders be required to follow the same procedures for taking stranded marine mammals? Should the term “taking” include euthanasia and should criteria for authorizing its use be added to the regulations? Should there be minimum requirements for stranding responders? Should reporting requirements for government officials be the same as those for authorized (designated) non-government stranding responders? Should there be a unique number applied to each animal to insure that animal parts and samples can be traced back to the original stranding?

Right Whale News readers who participate in responding to marine mammal stranding events are encouraged to review the entire ANPR and provide comments to NMFS by no later than March 31.

Right Whale Papers Presented at Cape Town

The 17th Biennial Meeting of the Society of Marine Mammalogy was held November 29-December 3, 2007, in Cape Town, South Africa. A number of papers and poster presentations on right whales were included. Abstracts for the papers are not generally available, so in the following list the e-mail address of the corresponding author is provided at the end of each citation for those who might wish to get a copy. The 18th Biennial meeting will be held in Quebec City, October 12-16, 2009.

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Berube, M., P. Best, P. Kamath, M.B. Rwe, A. Sellas, D. Reeb and P. J. Pasbøll. Paternity in southern right whales – is there more bang in a particular buck? Martine.berube@gmt.su.se

Botha, A., M. Mouton, M. Thornton, I. Peters, P.B. Best and D. Reeb. Plant pathogenic fungi isolated from a healthy free-swimming southern right whale. abo@sun.ac.za

Brito, M., P.L. Tyack and W.M.X. Zimmer. Do North Atlantic right whales compensate for increases in ambient noise? marlene@whoi.edu

Campbell-Malone, R., K.C. Baldwin, J. DeCew, J.J. Raymond, I. Tsukrov and M.J. Moore. Biomechanics of North Atlantic right whale bone: Mandibular fracture as a fatal endpoint for blunt vessel-whale collision modeling. regina@whoi.edu

Churchill, M., A. Berta and T. Deméré. Right whales in deep time: The systematics, biogeography, and paleoecology of the Balaenidae. Morgan.churchill@gmail.com

Clark, C.W., M.W. Brown and P. Corkeron. Management applications of visual and acoustic surveys for northern right whales (*Eubalaena glacialis*) in Cape Cod Bay, Massachusetts, 2001-2006. cwc2@cornell.edu

Cole, T., R. Pace, P. Duley, M. Niemeyer, C. Christman, A. Glass and R. Merrick. Seasonal distribution patterns of North Atlantic right whales (*Eubalaena glacialis*) in the Gulf of Maine, 2002-2006. Tim.cole@noaa.gov

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Dellabianca, N., R.N.P. Goodall, L.E. Pimper, L. Riccialdelli and C.C. Boy. Marine mammals stranded or incidentally captured on the coasts of Tierra del Fuego over a period of 32 years: Species and numbers. nataliadellabianca@yahoo.com.ar

Ford, J.K.B. and R.R. Reeves. Fight or flight: Antipredator strategies in baleen whales. fordjo@pac.dfo-mpo.gc.ca

Good, C.P., T.V.N. Cole, N. Jaquet and A.J. Read. Spatial and temporal overlap of fixed fishing gear with North Atlantic right whales (*Eubalaena glacialis*) and humpback whales (*Megaptera novaeangliae*) in the Gulf of Maine. Caroline.good@duke.edu

Groch, K.R., P.A. C. Flores and H.A. Silveira. A whale of an achievement: The rescue of a live stranded right whale in southern Brazil. karina@baleiafranca.org.br

Guilbault, Y., J-F. Blouin, M.W. Brown, V. de la Chenelière and J. Giard. The Gulf of St. Lawrence: Another nursery for western North Atlantic right whales?
yguilbault@neaq.org

Hofmeyr-Juritz, L.H., P.B. Best and L. Krige. Do southern right whales have individually distinctive ‘voice-prints’? leonie@gmail.com

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McGregor, A.E., D.P. Nowacek, C.M. Angell and M.J. Moore. The influence of body condition on buoyancy in North Atlantic right whales (*Eubalaena glacialis*).
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Calendar

March 4 (in Virginia Beach), **March 6** (Boston), **March 11** (Morehead City), **March 13** (Mount Pleasant), **March 18** (Jacksonville) and **March 19** (Panama City): Public hearings on the U.S. Navy's Atlantic Fleet Active Sonar Training Draft Environmental Impact Statement and Overseas Environmental Impact Statement. For details, see the *Federal Register*, vol. 73, no. 32, pages 8856-8858; February 15, 2008.

March 13: Proposals due for acoustics research grants. See article on p. 6 for details.

March 31: Proposals due for gear-marking grants. See article on p. 7 for details.

March 31: Deadline for comments on NMFS' Advance Notice of Proposed Rulemaking regarding the taking of stranded marine mammals. See article on page 8 for details.

May 6: Southeast Implementation Team spring meeting at the Environmental Education Center, Guana Tolomato Matanzas National Estuarine Research Reserve, Punta Vedra, Florida. For information, contact SEIT co-chair Leslie Ward at Leslie.Ward@MyFWC.com

November 5-6: North Atlantic Right Whale Consortium annual meeting. Confirmed location: New Bedford Whaling Museum, New Bedford, Massachusetts. For further information, contact Heather Pettis, the Consortium Secretary, at hpettis@neaq.org

October 12-16, 2009: 18th Biennial Conference on the Biology of Marine Mammals sponsored by the Society of Marine Mammalogy, to be held in Quebec City, Canada. For details, go to www.marinemammalogy.org

2011: 19th Biennial Conference on the Biology of Marine Mammals sponsored by the Society of Marine Mammalogy, to be held in Tampa, Florida. For details, go to www.marinemammalogy.org

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