

RIGHT WHALE NEWS

*An independent forum for right whale conservation and recovery,
publishing several times each year.*

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SEUS 2022 Calving Season Summary

The 2021–22 North Atlantic right whale calving season is unfolding. Actually, it is approaching the three-quarter mark. What do we know?

The first mother-calf pair of the season, reported on social media, was spotted by sailors off Charleston, South Carolina, on 10 November 2021, five days before the “official” start of the calving season. Video documented the sighting, but did not provide the identification for the mother.

The first identified mother-calf pair of the season was Catalog #1245, *Slalom*, and her 6th calf. The pair was sighted off South Carolina on 24 November 2021 by the Clearwater Marine Aquarium Research Institute (CMARI) aerial survey team. Born in 1982, *Slalom* is 40 years old.

Shortly thereafter, on 2 December 2021, Catalog #3560, *Snow Cone*, and calf #2 were sighted by the Florida Fish & Wildlife Team. She carried line from an entanglement. There is a backstory. *Snow Cone* was first seen entangled off Plymouth, Massachusetts, on 10 March 2021. A response team from the Center for Coastal Studies removed nearly 300 feet of the rope that she was dragging. On 10 May, the Canada Department of Fisheries and Oceans survey plane spotted her in the Gulf of St. Lawrence. In the days following, more of the attached rope was removed. She was seen in the Gulf through the beginning of August, then south of Cape Cod and the Islands in October and early November. In the following weeks, despite the entanglement, *Snow Cone*, pregnant at this point, successfully traveled more than 1,000 miles to the southeast U.S. calving area to give birth.

A few weeks later, on 18 December, female #2360, *Derecha*, and her fifth calf were sighted off the St. Johns River entrance in Florida. These two females, *Snow Cone* and *Derecha*, are remarkable. Both lost calves to vessel strikes in 2020 (see RWN August 2020 and May 2021). With strong resilience, both came back to become pregnant and calve again in 2021—a short, very short, calving interval of two years.

This type of success story does not apply to all females. A Florida Fish and Wildlife Conservation Commission aerial survey team sighted Right Whale Catalog #1301, *Half Note*, and her calf off Sea Island, Georgia, on 18 January 2022. This right whale mother is 39 years old, and has lost four of her previous calves. Although this is her seventh known calf, only one of her previous calves is thought to have survived to the juvenile stage. Unfortunately, this new calf likewise does not appear to be healthy—it is very thin and has many cyamids (a type of crustacean known as “whale lice”) on its flukes, which often indicates poor health.

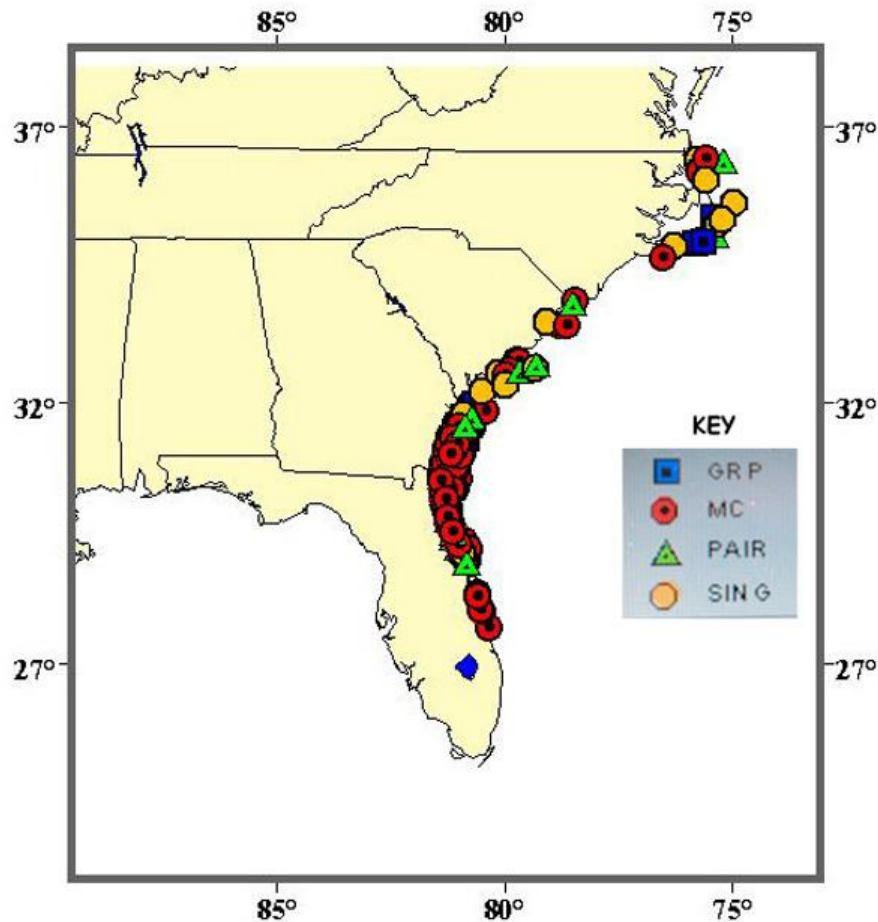
There are calving females of diverse ages this season. One senior mother is #2040, *Naevus*, born in 1990, and 32 years old in this season. She is with her sixth calf, and is the daughter of well-known #1140, *Wart*. *Naevus* has a large family and her older sister, *Slalom*, (see above) is also a mother this season. *Naevus* is lucky in that her five other offspring are apparently alive and well, all having been seen fairly recently. In fact, all three of her daughters (*Infinity*, *Millipede*, and *Bocce*) gave birth last year. Unfortunately, her grandchild, *Infinity*'s 2021 calf, was struck and killed by a vessel at just a few weeks old. As for the other major human impact, *Naevus*' family is no stranger to entanglements, as there have been 22 entanglement events between her and her offspring.

As the season advances, sighting reports come in. The 14th right whale calf of the season was sighted Thursday, 10 February, off the coast of Cumberland Island, Georgia. The mother spotted was #3157, with her 3rd calf. Then, female #4180 and her 2nd calf were sighted off North Carolina on 2 March. The calf is small, perhaps just a few days old. No first-time mothers have been reported to date for the season.

Based on the records compiled from the collaborative Whale Alert System, there were about 240 sighting reports to date, representing about 45 unique individuals (not counting calves). The plot below provides a general impression of the distribution of the sighting reports. Some individuals (typically mother-calf pairs) were sighted more than a dozen times, while other individuals (typically yearlings) have been sighted on a single occasion. Some changes in sightings distribution are attributable to expanded SEUS aerial surveys in South and North Carolina (RWN January 2021).

While we wait in hope for additional mother-calf pairs for the season, we find some small promise in the births to date as well as the demographics, which includes males, yearlings, and groups—perhaps reminiscent of earlier times.

(Summary information provided by NOAA Fisheries, New England Aquarium, and the Florida Fish & Wildlife Commission.)



Right whale sightings to date (10 November 2021 through 24 February 2022) during the 2021–22 SEUS calving season. Number of sightings: Mother-calf pair, MC=176, Single individual, SING=31, Pair, PAIR=21, Group of ≥ 3 , GRP=11. As whales are often identified, there are multiple sightings of some individuals. Weather and sighting effort influence the number and distribution of sightings. Sighting records from multiple investigators and compiled by the Florida Fish & Wildlife Commission.

“No fault” Finding by NOAA Office of Law Enforcement

On the evening of 12 February 2021, the 54-foot sport fishing vessel, *About Time*, struck a right whale calf while transiting inbound in the St. Augustine Inlet. The mother, #3230, *Infinity*, was also injured. An account of the incident is posted at <https://georgiawildlife.blog>. In the follow-on interviews, DNR senior wildlife biologist Clay George said that “Even the most experienced, well-intentioned boater can hit a whale.” A letter dated 8 June 2021 from the NOAA/NMFS

Office of Law Enforcement (OLE) states, “After a thorough review of the facts in this case, NOAA OLE has declined in the interests of justice to refer this matter for civil or criminal prosecution.”

Since 2005, there have been at least five incidents of recreational boats colliding with right whales in the Southeast (one incident not proven to be a right whale.).

When queried, Lauren Gaches, NOAA spokesperson, replied, “Each case is investigated individually, and the decision in this case has no precedential effect on any future cases.”

Legislation Introduced to Protect the North Atlantic Right Whale

On 16 February 2022, U.S. Senators Cory Booker (D-NJ), Richard Blumenthal (D-CT), Tom Carper (D-DE), and Sheldon Whitehouse (D-RI) introduced the Right Whale Coexistence Act, S.3664. This legislation would establish a new grant program to fund collaborative research between government agencies, nongovernmental organizations, and maritime industries to reduce human impacts on North Atlantic right whales. Representative Seth Moulton (D-MA-06) is introducing companion legislation in the House.

A predecessor to the current legislation, the SAVE Right Whales Act, was filed on 7 June 2018. (See also RWN, December 2018 and July 2018.)

In addition to establishing a new grant program, the Right Whale Coexistence Act would:

- Specify that state and tribal agencies, research institutions, nonprofit organizations, vessel owners and operators, members of maritime industries like fishing, shipping, and boating, and any other entity with the required expertise for North Atlantic right whale conservation, may apply for grants.
- Direct the Secretary of Commerce to prioritize projects that have the greatest likelihood of reducing impacts from fishing gear entanglement and vessel collisions, while also prioritizing projects that involve private sector stakeholders and will provide economic benefits to small businesses in the United States.
- Require periodic reports to Congress on the results and effectiveness of the program.

The Right Whale Coexistence Act has been endorsed by the following businesses and organizations: Animal Welfare Institute, Atlantic Shores Offshore Wind, Born Free USA, Center for Biological Diversity, Cetacean Society International, Conservation Law Foundation, Defenders of Wildlife, Earthjustice, EDF Renewables, Endangered Species Coalition, Environment America, Environmental Investigation Agency, Humane Society Legislative Fund, the Humane Society of the United States, Inland Ocean Coalition, International Fund for Animal

Welfare, International Marine Mammal Project of Earth Island Institute, Marine Mammal Alliance Nantucket, NY4WHALES, Natural Resources Defense Council, Oceana, Oceanic Preservation Society, Ocean Conservation Research, Ørsted, Pew Charitable Trusts, Save the Manatees Club, SeaWorld Parks and Entertainment, Whale and Dolphin Conservation, and World Wildlife Fund.

Full text of the legislation can be found [here](#). Many steps remain before this proposed legislation will be enacted.

NMFS Vessel Speed Rule: Assessment

A [June 2020 report](#) by NOAA Fisheries, Office of Protected Resources, provides a comprehensive and informative review of the speed rule results and issues to date, provides areas of concern, and makes a number of recommendations. These recommendations may be reflected in changes to the rule that will appear in the Federal Register in the coming months. Any changes to the speed regulations would be completed through public notice and comment (Lauren Gaches, NOAA Spokesperson).

In 2008, the National Marine Fisheries Service (NMFS) implemented a seasonal, mandatory vessel-speed rule in certain areas along the U.S. East Coast to reduce the risk of vessel collisions with right whales. In 2013, NMFS published a final rule removing the “sunset clause” from the vessel-speed restrictions. As part of this action, NMFS committed to publish and seek comment on a report assessing the effectiveness of the rule. The report evaluates four aspects of the rule: biological efficiency, mariner compliance, navigational safety, and economic cost. In addition, the report evaluates mariner cooperation with the Dynamic Management Area (DMA) program, and small-vessel transits through active Seasonal Management Areas (SMAs).

The body of the report is 53 pages, with appendices of 164 pages. Public comments (closed March 2021) are 592 pp, and Southern Environmental Law Center and Oceana comments are 1197 pp.

The treatment of the topic is thorough. Among the information contained are the caveats to aspects of the rule; relationship between vessel speed, fuel usage, and risk to right whales; a description of the Clean Vessel Incentive Program aimed at reducing air pollution from large vessels coming into port; a consideration of small vessels (< 65 ft in length) involved in collisions with whales; and the Whale Alert informational app for gathering and displaying whale sightings.

The conclusions and recommendations state that continued speed reductions are warranted, the rule should be strengthened, and some aspects of the rule should be modified to ensure levels of effectiveness consistent with right whale recovery needs. Further findings include: 1) voluntary cooperation with DMAs has not proven to have a meaningful impact on vessel speed reduction, 2) enforcement should be enhanced, 3) vessel-strike risk from small vessels should be addressed, 4) the DMA program should be modified or terminated, 5) concerns about the mid-Atlantic region should be addressed, 6) research is recommended on vessel strikes vs. age class, and 7) research on sub-lethal impact of vessel strikes is recommended.

NMFS Announces 5-year Review for Right Whales

NMFS has initiated a 5-year review for North Atlantic right whales, which is required under the Endangered Species Act of 1973 (ESA) to ensure that the listing classification of the species is accurate. Section 4(c)(2)(A) of the ESA requires that NMFS conduct a review of listed species at least once every five years to ensure that the listing classification of a species remains accurate. On the basis of such reviews, NMFS determines whether the species should be delisted, reclassified, or no change in classification is warranted. Any change in Federal classification would require a separate rulemaking process. A notice was published in the *Federal Register* (3 February 2022) that announces the review and requests new information on right whales from the previous five years. This call for information is open until 4 May 2022 (information on submitting comments is below).

The review will be based on the best scientific and commercial data available at the time of the review. Two previous 5-year reviews were released in [August 2012](#) and [October 2017](#). Both reviews concluded that no change was needed to the endangered status. The results of the 5-year review will be posted on the NOAA Fisheries website.

If you would like to submit a comment providing new information on right whales for the status review, please go to www.regulations.gov, enter the docket number NOAA-NMFS-2022-0004, click on the “Search” icon, and then click the “Comment Now!” icon on the resulting web page. Complete the required fields and enter or attach your comments. Comments are due no later than 4 May 2022.

If you have any questions, contact diane.borggaard@noaa.gov, who is leading this effort in close collaboration with colleagues at the NMFS Greater Atlantic and Southeast Regional Offices, Northeast and Southeast Fisheries Science Centers, and Headquarters.

Boaters and Whales: An On-Line Survey

by Amy D. Whitt, CEO, Azura Consulting, Garland, Texas

A new study seeks to improve outreach methods to help boaters and whales. Azura Consulting, under contract to NOAA, is surveying boaters who operate large pleasure vessels and yachts along the U.S. East Coast. The survey seeks to learn about boater knowledge and opinions of programs designed to reduce the likelihood of unintentional boat strikes with large whales, particularly North Atlantic right whales.

The main goals of this survey are to:

- Better understand factors that motivate the observance of speed rules and restrictions,
- Assess the effectiveness of education and outreach methods used to reach these boating communities, and
- Determine if there are more effective communication and outreach tools to enhance compliance with speed restrictions and recommendations. The online survey invites boaters who operate recreational vessels or yachts 35 feet or more in length along the U.S. East Coast to participate. Please help disseminate this survey to boat operators who have piloted these types of boats within the last 10 years.

The results of this survey will assist NOAA Fisheries in directing the development of future outreach and education efforts.

Link: www.surveymonkey.com/r/boatersurvey

Disclosure: Amy Whitt is on the editorial board of *Right Whale News*

Calendar

24th Biennial Conference on the Biology of Marine Mammals, Palm Beach County Convention Center, Palm Beach, Florida. Postponed until 1–5 August 2022, with workshops on 30 & 31 July. A hybrid meeting (in-person and virtual) is planned. For further information, see marinemammalscience.org.

Southeast Right Whale Recovery Team meeting, 17 & 18 May 2022, GTM-NERR Center, Ponte Vedra, Florida. Depending on an assessment of the COVID situation, the meeting will be in-person, remote, or hybrid. Update will be available from Tom Pitchford, tom.pitchford@myFWC.com.

Documentary Released: *Last of the Right Whales*

The documentary, *Last of the Right Whales*, by HitPlay Productions, Toronto, Canada, premiered in the United States on 16 February at the New England Aquarium in Boston, and was shown the next day at the Quad Cinema in New York. It opened at theaters across Canada on World Whale Day, 20 February.

The film then kicked off its U.S. Coastal Tour in Jacksonville, Florida, on 23 February. It then followed the whales' northward migration with screenings along the way including Charleston, South Carolina, Dennis, Massachusetts, and Portland, Maine.



Many of the screenings include panels with filmmakers, scientists, and fishers. By the end of February there had been 88 screenings, at 40 locations, and 16 panels, in just 13 days. For dates and times of upcoming screenings, see <https://lastoftherightwhales.com/screenings>.

The film was produced by Nadine Pequenezza, producer/writer/director, and Joanne Jackson, executive producer. Filming began in Lameque, New Brunswick, June 2019, with the death of catalog #4023, *Wolverine*, and concluded in July 2021 in the Gulf of St. Lawrence, with the entanglement of #4615.

There is an impact campaign associated with the film, with the goal of spreading awareness, reducing vessel strikes, and reducing gear entanglement.

The YouTube channel, Hitplay Productions, contains several interesting featurettes and behind-the-scenes videos.

The film is currently being screened in theaters and film festivals. In the fall of 2022, it will air on the Canadian Broadcasting Company (CBC) and the European culture TV channel (ARTE).

As 2022 advances, there will be the opportunity for community screenings. To host a screening, go to lastoftherightwhales.com/take-action/.

Book Review

by Jim Hain

We Are All Whalers: The Plight of Whales and Our Responsibility, University of Chicago Press, 2021. 213 pp. Author: Michael J. Moore

The journey is a theme often encountered in literature, history, and science. Think of Odysseus, Don Quixote, and Charles Darwin. Michael Moore is on such a journey. His journey has taken him to the Faroe Islands, Iceland, Labrador, the Caribbean, Alaska, Massachusetts, and Florida. While science often maintains its distance from anthropomorphism, Michael instead addresses its proper role in expressing empathy for the pain and suffering experienced by injured and entangled whales. Events that we have heard about from the news and web postings are here connected by a thread, the weaving of the journey's story. Michael puts a voice, his voice, to a difficult situation and the similarly difficult solution. In the final chapter, Chapter 8, his voice becomes quite direct. What has been done? What needs to be done? The journey is continuing. Nothing I might say or reveal here will be an improvement. Absolutely read about it for yourself.

Literature and Reports

Agrelo, M., F.G. Daura-Jorge, V.J. Rowntree, M. Sironi, P.S. Hammond, S.N. Ingram, C.F. Marón, F.O. Vilches, J. Seger, R. Payne, and P.C. Simões-Lopes. 2021. Ocean warming threatens southern right whale population recovery. *Science Advances* 7(42):eabh2823.

Baumgartner, M.F. and J. Partan. 2021. Self-localization of buoyless fishing gear and other objects on the sea floor. *JASA Express Letters* 1(8):086001.

Bisack, K.D. and G.M. Magnusson. 2021. Spatial management to reduce entanglement risk to North Atlantic right whales in fishing gear: A case study of U.S. Northeast lobster fishery 2002–2009. *Frontiers in Marine Science* 8: 540966.

Breeze, H., S. Li, E.C. Marotte, J.A. Theriault, J. Wingfield, and J. Xu. 2021. Changes in underwater noise and vessel traffic in the approaches to Halifax Harbor, Nova Scotia, Canada. *Frontiers in Marine Science* 8: 674788.

Carroll, E.L., G. Dunshea, P.H. Ott, L.O. Valenzuela, C.S. Baker, S.J. Childerhouse, O.E. Gaggiotti, P.A.C. Flores, K. Groch, D.R. Gröcke, M.A. Hindell, D. Lundquist, L.R. Oliveira, V. Rowntree, M. Sironi, and S.D. Newsome. 2021. Variation in $\delta^{13}\text{C}$ and $\delta^{15}\text{N}$ values of mothers and their calves across southern right whale nursery grounds:

- The effects of nutritional stress? *Marine Mammal Science* early view.
<https://doi.org/10.1111/mms.12871>
- Corrêa, A.A., J.H. Quoos, A.S. Barreto, K.R. Groch, and P.P.B. Eichler. 2021. Use of satellite imagery to identify southern right whales (*Eubalaena australis*) on a Southwest Atlantic Ocean breeding ground. *Marine Mammal Science* early view.
- Crowe, L.M., M.W. Brown, P.J. Corkeron, P.K. Hamilton, C. Ramp, S. Ratelle, A.S.M. Vanderlaan, and T.V.N. Cole. 2021. In plane sight: A mark-recapture analysis of North Atlantic right whales in the Gulf of St. Lawrence. *Endangered Species Research* 46:227-251.
- D'Agostino, V.C., A. Fernández Ajó, M. Degradi, B. Krock, K.E. Hunt, M.M. Uhart, and C.L. Buck. 2021. Potential endocrine correlation with exposure to domoic acid in southern right whale (*Eubalaena australis*) at the Península Valdés breeding ground. *Oecologia*.
<https://doi.org/10.1007/s00442-021-05078-4>
- Dombroski, J.R.G., S.E. Parks, and D.P. Nowacek. 2021. Dive behavior of North Atlantic right whales on the calving ground in the Southeast USA: Implications for conservation. *Endangered Species Research* 46:35-48.
- García-Cegarra, A.M., M. Malebran, and K. Van Waerebeek. 2021. Antofagasta Region in northern Chile, a potential nursing ground for the southern right whale *Eubalaena australis*. *Latin American Journal of Aquatic Mammals* 16(1): 40-45.
- Hammond, P.S., T.B. Francis, D. Heinemann, K.J. Long, J.E. Moore, A.E. Punt, R.R. Reeves, M. Sepúlveda, G.M. Sigurðsson, M.C. Siple, G. Víkingsson, P.R. Wade, R. Williams, and A.N. Zerbini. 2021. Estimating the abundance of marine mammal populations. *Frontiers in Marine Science* 8: 735770.
- Ibrahim, A.K., H. Zhuang, L.M. Chérubin, N. Erdol, G. O'Corry-Crowe, and A.M. Ali. 2021. A multimodel deep learning algorithm to detect North Atlantic right whale up-calls. *Journal of the Acoustical Society of America* 150: 1264-1272.
<https://doi.org/10.1121/10.0005898>
- Macrander, A.M., L. Brzuzy, K. Raghukumar, D. Preziosi, and C. Jones. 2021. Convergence of emerging technologies: Development of a risk-based paradigm for marine mammal monitoring for offshore wind energy operations. *Integrated Environmental Assessment and Management*. <https://doi.org/10.1002/ieam.4532>

- Marón, C.F., M.C. Lábaque, L. Beltramino, M. Di Martino, L. Alzugaray, M. Ricciardi, A.A. Fernández Ajó, F.R. Adler, J. Seger, M. Sironi, V.J. Rowntree, and M.M. Uhart. 2021. Patterns of blubber fat deposition and evaluation of body condition in growing southern right whale calves (*Eubalaena australis*). *Marine Mammal Science* 37(4):1309-1329.
- Matsuoka, K., J.L. Crance, J.K.D. Taylor, I. Yoshimura, A. James, and Y.-R. An. 2021. North Pacific right whale (*Eubalaena japonica*) sightings in the Gulf of Alaska and the Bering Sea during IWC-Pacific Ocean Whale and Ecosystem Research (IWC-POWER) surveys. *Marine Mammal Science* early view.
- Meyer-Gutbrod, E.L., C.H. Greene, K.T.A. Davies, and D.G. Johns. 2021. Ocean regime shift is driving collapse of the North Atlantic right whale population. *Oceanography* 34(3):22–31. <https://doi.org/10.5670/oceanog.2021.308>.
- Moloney, J.E., K. Kowarski, S.B. Martin, B. Gaudet, A. Cole, and E. Maxner. 2021. Recent developments, observations and lessons learned in the use of real-time passive acoustic monitoring from ocean gliders in order to mitigate harm to North Atlantic right whales and southern resident killer whales. *Journal of the Acoustical Society of America* 150(4):A285-A285.
- Palmer, K., J. Turner, S. Tabbutt, D. Gillespie, J. Thompson, P. King, and J. Wood. 2021. Evaluation of the coastal acoustic buoy for offshore wind for real time mitigation of North Atlantic right whales. *Journal of the Acoustical Society of America* 150(4):A48-A49.
- Pegg, N., I.T. Roca, D. Cholewiak, G.E. Davis, and S.M. Van Parijs. 2021. Evaluating the efficacy of acoustic metrics for understanding baleen whale presence in the western North Atlantic Ocean. *Frontiers in Marine Science* 8: 799802.
- Riekenberg, P.M., J. Camalich, E. Svensson, L.L. IJsseldijk, S.M.J.M. Brasseur, R. Witbaard, M.F. Leopold, E. Bravo Rebolledo, J.J. Middelburg, M.T. J. van der Meer, J.S. Sinninghe Damsté, and S. Schouten. 2021. Reconstructing the diet, trophic level and migration pattern of mysticete whales based on baleen isotopic composition. *Royal Society Open Science* 8(12). DOI: 10.1098/rsos.210949
- Van Parijs, S.M., K. Baker, J. Carduner, J. Daly, G.E. Davis, C. Esch, S. Guan, A. Scholik-Schlomer, N.B. Sisson, and E. Staaterman. 2021. NOAA and BOEM minimum recommendations for use of passive acoustic listening systems in offshore wind energy development monitoring and mitigation programs. *Frontiers in Marine Science* 8: 760840.

Vickers, W., B. Milner, D. Risch, and R. Lee. 2021. Robust North Atlantic right whale detection using deep learning models for de-noising. *Journal of the Acoustical Society of America* 149(6):3797-3812.

Watson, M., K. Stamation, and C. Charlton. 2021. Calving rates, long-range movements and site fidelity of southern right whales (*Eubalaena australis*) in south-eastern Australia. *Journal of Cetacean Research and Management* 22(1):17–28.

Zoidis, A.M., K.S. Lomac-MacNair, D.S. Ireland, M.E. Rickard, K.A. McKown, and M.D. Schlesinger. 2021. Distribution and density of six large whale species in the New York Bight from monthly aerial surveys 2017 to 2020. *Continental Shelf Research* 230:104572.

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To submit ideas, article topics, and comments, contact Editor Jim Hain at jhain@earthlink.net and place “RWN Editorial” in the subject line. To subscribe, please use the “Mail Chimp” system at: <http://eepurl.com/JvmKf>. The link is also available via the *Right Whale News* tab on www.narwc.org.

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