

# RIGHT WHALE NEWS

The Publication of the Southeast United States Right Whale Recovery Plan  
Implementation Team and the Northeast Implementation Team

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## **NMFS and Coast Guard Inactions Bring Litigation**

On September 29, the National Marine Fisheries Service (NMFS) formally denied the petition from nine non-government organizations requesting that NMFS “promulgate emergency regulations, within sixty days, to slow and/or reroute vessels within right whale habitat, as a means of protecting the species until such time as permanent measures can be enacted. Such emergency regulations should require all ships entering and leaving all major East Coast ports to travel at speeds of 12 knots or less within 25 nautical miles of port entrances during expected right whale high-use periods.” NMFS has determined “the petition is not warranted at this time” (*Federal Register* Vol. 70, no. 188, pages 56884-56885; September 29, 2005; available on line via <http://www.gpoaccess.gov/fr/>; type in “56884” including the quotation marks.)

On November 9, the Defenders of Wildlife, the Humane Society of the United States and the Ocean Conservancy filed a lawsuit against NMFS for “failing to protect the critically endangered North Atlantic right whale, which the agency acknowledges is ‘the rarest of all large whale species’ and which federal agencies are required to protect by both the Marine Mammal Protection Act and the Endangered Species Act.” The three organizations have asked District of Columbia U.S. District Court Judge Paul Friedman to set aside NMFS’ denial as “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law,” in violation of the Administrative Procedure Act.

The three plaintiffs plus the Whale and Dolphin Conservation Society also have filed a notice of intent to sue the U.S. Coast Guard in 60 days if it “continues to fail to implement safeguards for right whales.” In a June 9 letter to NMFS Director William Hogarth, USCG Admiral Thomas Collins denied the agency’s request that the Coast Guard include language recommending speeds of 12 knots or less in areas used by right whales when consistent with navigational safety.

In the Humane Society press release announcing the litigation, Jonathan Lovvorn, Vice President for Animal Protection Litigation, said, “The Humane Society of the United States will not stand idly by and watch the federal government’s refusal to act drive the North Atlantic right whale to extinction.”

## **U.S. Navy Proposes to Construct and Operate an Undersea Warfare Training Range off North Carolina**

The U.S. Navy is proposing to build a sonar training range off the east coast of the United States. While evaluating three potential sites for the range, the Navy's preferred alternative is about 50 miles off the coast of North Carolina. The principal purpose of the range is to train sailors in the proper use of sonar in detecting quiet diesel submarines in shallow water, which the Navy sees as the greatest submarine threat (*Federal Register* 70, no. 208, pages 62102-62103; October 28, 2005.)

Concerns raised by spokespersons for the Natural Resources Defense Council and the Humane Society of the United States say that loud sonar blasts will disorient whales and may even kill them. Sharon Young of the Humane Society, quoted recently in the *Washington Post*, said, "These animals are teetering on the brink of extinction. Adding a sonar range in what may be the middle of their range is just insane."

The Navy published a Draft Environmental Impact Statement on October 21. Copies are available at <http://projects.earthtech.com/USWTR> or from Keith Jenkins at 757-322-4046. Three public hearings were held in November. Comments on the proposal should be sent to Mr. Keith Jenkins, Naval Facilities Engineering Command Atlantic, Code EV21KJ), 6506 Hampton Boulevard, Norfolk, VA 23508. The postmark deadline for comments is December 28, 2005.

## **Interactive CD Teaches Mariners to Avoid Striking Whales**

The Holland America Line has produced what may become the most effective tool yet available to teach captains and watch crews how to avoid hitting whales, including right whales. The whale avoidance compact disk-based training program, "Avoiding Whale Strikes," was created by the Holland America Line for its cruise ship personnel. Cooperation with the National Park Service and the National Marine Fisheries Service is making the CD available to the broader shipping industry.

The interactive training CD includes these topics: introduction, course objectives, whale behavior, whale species, ship-strike facts, precautionary measures, humpbacks at Glacier Bay, reporting and conclusions. One of the more innovative parts of the training CD is testing, both as one progresses through the course and at the end. One topic must be completed before moving on to the next.

For information on availability of the CD, contact Chris Volkle, Manager, Fleet Training, Holland America Line, 300 Elliott Avenue West, Seattle, WA 98119.

The CD was enthusiastically received by members of the Southeast Implementation Team during their October 5<sup>th</sup> meeting in Ponta Vedra Beach, Florida; the SEIT's

Education and Outreach Committee ranked it the #1 priority for reaching shipping interests.

## **North Atlantic Right Whale Informational Signs for Mariners**

The Florida Fish and Wildlife Conservation Commission has received a grant from the National Fish and Wildlife Foundation to develop North Atlantic right whale informational signs aimed at increasing mariner awareness of right whale conservation and recovery. The 3' x 4' metal signs include a graphic of a mother/calf pair, a brief description of the whale's endangered status, photographs of the physical characteristics that help to identify right whales, and a map representing their seasonal distribution off the Southeast coast. The signs also highlight how the boating public can help protect this endangered species, including observance of the federal 500 yard no-approach regulation and how to steer clear if whales are encountered. It also includes directions on how to immediately contact the U.S. Coast Guard if an injured, entangled or dead right whale is sighted. Project cooperators, Leigh Youngner, with the Georgia Department of Natural Resources, Al Segars, D.V.M. from the South Carolina Department of Natural Resources, Bill McLellan, from the University of North Carolina Wilmington, and Barb Zoodsma of the National Oceanic and Atmospheric Administration, are helping to place the informational signs strategically at cooperating marinas located within close proximity to oceanic inlets near the right whale's migratory route or calving area. The informational signs also are being posted at major municipal and park boat ramp facilities servicing boaters likely to use coastal waters. Scott Landry from the Provincetown Center for Coastal Studies provided the original right whale mother/calf artwork that appears on the signs. Approximately 140 signs are being posted at marine facilities across the Southeast. Inquiries on obtaining a sign should be directed to Tom Pitchford of the Florida Fish and Wildlife Conservation Commission at [Tom.Pitchford@MyFWC.com](mailto:Tom.Pitchford@MyFWC.com)

*Alicia Windham-Reid and Leslie Ward*

## **MMC Will Review Cost Effectiveness of the North Atlantic Right Whale Recovery Program**

The Marine Mammal Commission is now moving into Phase II of a three-phase examination of the biological viability of the most endangered marine mammal populations, as well as the cost effectiveness of current protection programs. (For background on the Congressionally-directed study, see *Right Whale News* 12 (2):6; May, 2005). The MMC is wrapping up Phase I, a review of information on population viability, current status, and protection programs for all 19 listed species of marine mammals in U.S. waters. Phase II involves a more detailed examination of selected species-specific programs. The MMC has chosen to include the North Atlantic right whale in this review. The focus of the review will include collision and entanglement reduction measures, the biological effectiveness of these measures, and costs for

implementing the measures. A panel of experts will be convened next year to develop a report to the MMC. The final report should be completed by September 2006.

## **What Kinds of Fishing Gear Most Often Entangle Right Whales?**

Right whales can become entangled in a wide variety of fishing gear types and parts. Scarification studies conducted by the New England Aquarium indicate that 71.9 percent of Western North Atlantic right whales have been entangled at least once and that there appears to be an increasing trend in the annual rate of entanglement (see Knowlton *et al.* in *Scientific Literature and Reports*, page 15).

A study recently published in *Marine Mammal Science* by Amanda Johnson of the Duke University Marine Laboratory (now with NMFS' Northeast Regional Office) and colleagues has shed light on the kinds of fishing gear right whales and humpback whales get entangled in. They examined 31 right whale entanglements from along the east coast from the Gulf of St. Lawrence to Amelia Island, Florida. Gear type was determined in 45 percent of the right whale cases. Pot gear (e.g., inshore and offshore lobster gear) was identified on 10 right whales with 55 percent of the identified gear being buoy line and 27 percent ground line. Gill net gear was found on two right whales (50 percent of the identified line was ground line and 36 percent was float line). "Other" gear (e.g., tuna ground line, Danish seine) was found on two more right whales.

The analysis confirms that any line rising vertically in the water column poses a significant entanglement risk to both species. Reducing the occurrence of line in the water column could reduce entanglement risk. Mitigation strategies such as weak links are available but their effectiveness has not yet been demonstrated. (*See Scientific Literature and Reports, page 15, for the complete citation of the Marine Mammal Science article.*)

## **EIS Will Be Prepared for Right Whale Research Permits**

The National Marine Fisheries Service has announced its intention to prepare an Environmental Impact Statement (EIS) to analyze the impacts of issuing permits facilitating research on right whales in both the Western North Atlantic and North Pacific (*Federal Register* 70(199):60285-60287; October 17, 2005). The agency plans to evaluate the cumulative impacts of research on right whales. They will assess the likely environmental effects of issuing permits under a range of alternatives characterized by different research methods, mitigation measures, and levels of effort.

The NMFS Proposed Action Alternative is to issue "permits to qualified individuals and institutions to conduct those research activities determined critical or essential to NMFS' conservation and recovery of right whales. To minimize the cumulative impact of

research on right whales, no permits would be issued for lower priority research activities until the highest priority tasks are completed or unless there is sufficient information to determine that the cumulative impacts would not disadvantage or jeopardize the continued existence of the species.” (Note: At present, NMFS considers Western North Atlantic and North Pacific right whales to be a single species; that decision is under reconsideration.)

NMFS is seeking public comments on its Preferred Action Alternative and several alternatives described in the *Federal Register* notice cited above. They are especially interested in comments on the types of research (including needs not identified in the recently released Recovery Plan), the levels of research effort, coordination of research, qualifications of researchers, and effects of research.

The process of preparing an EIS starts with a public process that will help identify alternatives and determine the scope of environmental issues to be addressed in the EIS. The scoping process includes three public meetings (*see below and Calendar of Events*) and a public comment period, which closes January 31, 2006. Comments should be sent to Steve Leathery, Chief, Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910-3226. Comments can also be faxed to 301-427-2582 or e-mailed to [rweis.comments@noaa.gov](mailto:rweis.comments@noaa.gov)

NMFS anticipates the Draft EIS will be available for public comment next year. Public information meetings are anticipated during the comment period. The Final EIS and Record of Decision are expected to be complete by August 2007.

### **First Scoping Meeting Held November 3**

NMFS held the first of three scoping meetings immediately following the annual meeting of the North Atlantic Right Whale Consortium meeting in New Bedford. A number of scientists and non-governmental organization representatives commented on what one person called a “bureaucratic but necessary process” to keep permits for right whale research less vulnerable to legal attack. Among the topics raised were encouragement for non-invasive research, import permits for right whale materials, the difficulty of assessing cumulative impacts of research, and the review of permit applications by independent scientists. Several speakers addressed concerns about the potential for stifling creativity and ingenuity, particularly in the exploration of ideas not contained in the Recovery Plan. One person suggested the consideration of a tiered system of permit review based on the potential for serious impact on the whales. For example, a permit to observe and photograph whales from a distance would be easier to get than a permit to take biopsy samples. Permits for activities with potential major impacts, such as the Navy’s proposed Undersea Warfare Training Range off North Carolina (*see page 2*) should be evaluated separately.

## **Calvin's Story Inspires Educational Project**

Remember Calvin? Calvin is a right whale born in 1992. At age 8 months, while Calvin was still nursing, her mother, Delilah, was killed by a ship strike (*see* Right Whale News 5 (1):7; Feb. 1998 for details on the skeleton's display at the New Brunswick Museum in St. John). Delilah's death and public display helped stimulate the eventually successful initiative to reroute shipping lanes in the Bay of Fundy to reduce the risk of ship strikes. With the death of the nursing mother, experts feared for Calvin's survival, but they were wrong. Not only did Calvin survive, she returned to the Bay of Fundy this past August with her first calf. Lobbying is under way to have the calf named Hobbes!

Calvin's story became the focus of an educational program for secondary school children developed by William McWeeny and his students at the Adams School in Castine, Maine. The program includes information on Calvin's life story, the plight of right whales in general, and efforts being made to help the whales survive and recover. When students Allison Fleck and Georgia Zildjian presented The Calvin Project at the North Atlantic Right Whale Consortium meeting in New Bedford, the normally blasé audience gave them and their fellow students a standing ovation. The program will be turned into a secondary school science curriculum unit about endangered species in general with Calvin's story serving as a model. Rollout for the completed curriculum is expected in 2007.

## ***Entanglements* Author Honored**

Tora Johnson, the author of *Entanglements: The Intertwined Fates of Whales and Fishermen*, was recently named to the Barnes and Noble Discover Great New Writers list of seasonal picks for fall 2005. The selection committee said of *Entanglements*, "Fans of *The Secret Life of Lobsters* will love this new book from Tora Johnson: an intimate exploration of the clash between human and marine life...Johnson navigates these choppy waters with heart and hope."

Ms. Johnson's next project is the development of a graduate course in conflict, resolutions and solutions in marine environmental issues. The course will include content on whales, but other related issues will be explored as well. The course will be held next semester at the Cape Cod Museum of Natural History in Brewster, MA. For further information, see the Museum's web site ([www.ccmnh.org](http://www.ccmnh.org)) or contact them at 508-896-3867 or [info@ccmnh.org](mailto:info@ccmnh.org)

## **Book Review**

In M.T. Anderson's *Whales on Stilts*, published in 2005 by Harcourt, Inc. (Orlando, Florida), a human-whale mutant is set to unleash a phalanx of stilt-walking whales with laser-beam eyes to invade North America en route to world domination. It is left to a trio

of precocious teenagers fueled by Gargletine Breakfast Drink to intervene and save the world. The book includes the essential ingredients of right whales, a mad scientist, an abandoned warehouse, airships, submarines, oceanographic institutes, helipacks, and whale mind-control. The book's graphics, language, and solidly tongue-in-cheek asides are clearly the product of a lively (some, of course, may choose other terms) mind. Suitable for ages 10 and up, *Whales on Stilts* is an excellent choice for those on your Christmas list who fall into this category.

*Jim Hain*

## **Right Whale Models**

Looking for just the right (sorry!) item to promote your program, recognize your volunteers, or sell in your gift shop? Dr. Jim Hain of Associated Scientists, also Associate Editor of *Right Whale News*, has come up with just the thing: an eight-inch long rubber right whale! Made in China, the realistic model comes with callosities and two blow holes that can be fitted with Q-Tips to simulate the V-shaped blow for a more lifelike appearance. And no, it doesn't squeak. Quantity discounts are available. Contact Jim Hain at 508-564-4449 or [jhain@earthlink.net](mailto:jhain@earthlink.net) for details.

## **Changes**

**Erin Burke** has been hired as a Protected Species Specialist by the Massachusetts Division of Marine Fisheries. Her duties include executing the Commonwealth's Right Whale Conservation Program. Operating out of Gloucester, she can be reached at 978-282-0308, ext. 157 or [erin.burke@state.ma.us](mailto:erin.burke@state.ma.us). **Leslie Ward** and **Tom Pitchford**, both with the Florida Fish and Wildlife Research Institute, have been named co-chairs of the Southeast U.S. Right Whale Recovery Plan Implementation Team. You can contact Leslie Ward at 727-896-8626, ext. 1906 or [Leslie.Ward@MyFWC.com](mailto:Leslie.Ward@MyFWC.com). Tom Pitchford may be reached at [Tom.Pitchford@MyFWC.com](mailto:Tom.Pitchford@MyFWC.com).

## **Critical Habitat Proposed for North Pacific Right Whales**

In response to litigation brought by the Center for Biological Diversity and a June 14 Northern District of California Court Judge's ruling, the NMFS has proposed the designation of critical habitat for right whales in the North Pacific Ocean. The details are provided in the *Federal Register*, Vol. 70, no. 211, pages 66332-66346; November 2, 2005.

Two specific areas totaling 36,750 square miles are proposed as critical habitat: A relatively small area southeast of Kodiak Island in the Gulf of Alaska, and a larger area north of Dutch Harbor in the southeastern Bering Sea. These two areas include waters in which most recent sightings of right whales in the North Pacific have occurred and in

which relatively rich concentrations of several species of copepods occur. Specific coordinates for the proposed areas may be found in the *FR* notice referenced above. Maps are posted on NMFS' Alaska Regional Office web site ([www.fakr.noaa.gov/](http://www.fakr.noaa.gov/)) The comment period on the proposal ends January 3, 2006.

## **Fiscal Years 2005-2006 Funding Report**

### **Congressional Appropriation**

Congressman Bill Delahunt's office reports that the final appropriation for FY06 Right Whale Activities is \$6.3 million; Right Whale Cooperative State Plans total \$1.5 million. This is an increase over the President's proposed budget, but a decrease from last year's appropriation of about \$11.8 million.

### **Marine Mammal Commission**

Earlier this year, the Marine Mammal Commission announced a funding opportunity for research and related activities that will further the conservation and management goals of the Marine Mammal Protection Act. The stated intent was to support focused efforts that would supplement rather than supplant the research efforts of other agencies and organizations. In response, the MMC received 153 pre-proposals requesting a total of \$5,505,424. From these, the MMC requested submissions of 24 full proposals. The MMC received 22 full proposals requesting a total of \$632,377 by the deadline of 1 July. Seven awards resulted – one for monk seals, one for bowheads, one for polar bears, one for killer whales, two for manatees, and one for right whales – for a total of \$252,217. The right whale award was to Charles Mayo of the Provincetown Center for Coastal Studies for "Development of a zooplankton resource assessment program for prediction and management of right whale aggregation and habitat use on Jeffreys Ledge," \$33,914.

### **Right Whale Competitive Grants Program**

As in several past years, the North Atlantic Right Whale Research Grant Program was administered by the NMFS Northeast Fisheries Science Center in Woods Hole, Massachusetts. The stated objective was to fund research or other activities that could provide information useful to management of North Atlantic right whales, with emphasis on understanding or mitigating factors inhibiting the species' recovery. Successful applications were those that have a high probability of providing novel information that could be used to monitor the status and health of the North Atlantic right whale population, or to improve management strategies aimed at reducing risk from human factors or otherwise facilitating the population's recovery. Priority was given to researchers with a demonstrated track record of publishing in peer-reviewed scientific literature.

By the proposal deadline of August 1<sup>st</sup>, 27 proposals requesting a total of \$6.5 million in research funding had been received. Proposals are now being independently peer



reviewed, with this review expected to be completed by the end of December 2005. Final selection of projects to be funded will be based on this technical review based on selection factors outlined in the 2006 Call for Proposals and available FY2006 funds. No selections will be made until the final FY2006 right whale appropriation is available from Congress. If right whale research funding is reduced in FY2006, first priority for funding will be given to support of the final year of FY2004 grants (for listing, see *Right Whale News* 11(4):6, November 2004).

### **National Whale Conservation Fund**

The National Fish and Wildlife Foundation *National Whale Conservation Fund* (NWCF), a partnership with the National Oceanic and Atmospheric Administration (NOAA) since 1999, announced its 2005 grant awards. The NWCF awarded 16 grants totaling nearly \$1 million in federal funding through three subprograms: Fishing Gear Research Program (#2005-0327), Atlantic Coastal States Cooperative Planning for Right Whale Recovery (#2005-0326) and the NWCF General Call (#2005-0010).

Of the 16 projects funded, 10 related to right whales. These are:

<b>Title</b>	<b>Organization/Agency</b>	<b>NFWF Support</b>
Framework Consortium support	North Atlantic Right Whale Consortium	\$15,995
Southeast Right Whale Stewardship	Marine Resources Council	16,005
N.A. Right Whale Genetic Monitoring	Trent University	22,485
Right Whale Movement and Vocalizations	Center for Coastal Studies	23,138
Whale Entanglement Abrasion System	University of Maine	36,370
Acoustically Released Pop-Up Buoy Evaluation	University of Rhode Island	124,000
Rhode Island Large Whale Conservation Plan	R.I. Dept. Environmental Management	34,403
Right Whale Disentanglement Response Enhancement	Florida Fish and Wildlife Conservation Commission	57,500
Large Whale Cooperative Management Plan	Maine Dept. of Marine Resources	215,563
Massachusetts Right Whale Conservation Plan	MA Division of Marine Fisheries	187,590
<b>Total NFWF Federal Funds</b>		<b>\$609,173</b>

## **Grants Available**

### **Fishing Gear Research Program (formerly the Mini-Grants Program)**

In 2002, NMFS entered into a partnership with the National Fish and Wildlife Foundation (NFWF) to coordinate and administer various grant programs through the National Whale Conservation Fund, a special project of NFWF. The Fishing Gear Research Program is intended to encourage commercial fishers and other industry-related professionals from Maine to Florida to identify and develop innovative ideas for reducing death and serious injury to large whales due to entanglement in fishing gear. Previous rounds of funding established a cap of \$20,000 for proposed research. However, in 2005 this cap was lifted. Pre-proposals for Round VI of this program will be due in early 2006. Please continue to check the NMFS Grants web site for updates and information on other funded gear projects at: [www.nero.noaa.gov/prot\\_res/prgrants/index.htm](http://www.nero.noaa.gov/prot_res/prgrants/index.htm).

### **Atlantic Coast States Cooperative Planning for Right Whale Recovery**

In addition to the Fishing Gear Research Program, NMFS works with NFWF to provide Section 6 funds to coastal states for projects that have a strong likelihood of reducing the death and serious injury of right whales through the development or implementation of recovery plan programs. This program is intended to introduce non-section 6 states to the Section 6 process and encourage them to pursue formal Section 6 cooperative agreements with NMFS. The Northeast Region currently has five active agreements with Maine, Massachusetts, New York, New Jersey, and Maryland. The Southeast Region has six active agreements with North Carolina, South Carolina, Georgia, Florida, the U.S. Virgin Islands, and Puerto Rico. Note that currently a state is not required to have a formal Section 6 agreement with NMFS prior to applying for funding through this program.

Five areas that are emphasized and given priority are: ship strike mitigation, enforcement, gear testing to reduce entanglement, disentanglement activities, and education and outreach.

Pre-proposals for Round V of this program will be due in early 2006. Please continue to check the NMFS Grants web site for updates and information on other funded projects at [www.nero.noaa.gov/prot\\_res/prgrants/index.htm](http://www.nero.noaa.gov/prot_res/prgrants/index.htm).

### **National Whale Conservation Fund General Call**

This fund is a special project of NFWF and operates under the direction of the National Whale Conservation Fund Advisory Council. The General Call was developed to support research, management, conservation, and education/outreach activities that would help promote the recovery of whales. The 2005 round of funding requested proposals that focused on anthropogenic impacts to large whales (i.e., entanglements and ship strikes). For more information see [http://www.nfwf.org/programs/whale\\_general.htm](http://www.nfwf.org/programs/whale_general.htm). The Foundation will be posting the 2006 requests for proposals for these programs on its web site in December 2005 and pre-proposals will be due online in spring 2006. Please watch the NWCF web page ([www.nfwf.org/programs/nationalwhalefund.org](http://www.nfwf.org/programs/nationalwhalefund.org)) for updates.

### **More Information/Contacts**

For more information about the various funding opportunities listed above, please contact: Leslie Ricketts at the NFWF, 1120 Connecticut Avenue, N.W., Suite 900, Washington, D.C. 20036; Phone: (202) 857-0166; Fax: (202) 857-0162; E-mail: [Leslie.Ricketts@nfwf.org](mailto:Leslie.Ricketts@nfwf.org), OR Amanda Johnson at NMFS (Northeast Region), One Blackburn Drive, Gloucester, MA 01930; Phone: (978) 281-9300 ext. 6513; Fax: (978) 281-9394; E-mail: [Amanda.Johnson@noaa.gov](mailto:Amanda.Johnson@noaa.gov).

## **Report from Annual Consortium Meeting**

The annual meeting of the North Atlantic Right Whale Consortium was held November 2 and 3 at the New Bedford Whaling Museum in New Bedford, Massachusetts. Each year, attendance at the Consortium has increased, and once again, a record number of people – about 220 – attended. The meeting included a business session, presentations of 42 papers, a social hour and lots of networking opportunities. A public scoping meeting on right whale research permit issues (see article on page 4) immediately followed the Consortium meeting.

### **Business**

Following Woody Allen’s aphorism, “the world belongs to those who show up,” participants in the November 2 business meeting of the North Atlantic Right Whale Consortium unanimously reelected Bill McLellan, Laurie Murison, Doug Nowacek, and Jameson Smith to the governing board.

The evolving protocols for access to the Consortium databases were debated. Those wishing to access data on sightings, the identification catalog, genetics, contaminants, blubber thickness, health assessments, necropsies, and dead whales should contact Consortium Secretary Heather Pettis at [hpettis@neaq.org](mailto:hpettis@neaq.org)

Those present also agreed that abstracts of the Consortium meetings were not peer reviewed and thus should not be cited without the written permission of the author. To reduce the risk of improper citation, the texts of this year’s abstracts will not be placed on the Consortium’s web site ([www.rightwhaleweb.org](http://www.rightwhaleweb.org))

Concern was expressed about the misuse of Consortium data, especially in management reports that are not peer reviewed. Because these reports are often “where the action is,” a data-use committee was created to look at the issue and come back to the board with findings and recommendations. Named to the committee were Mason Weinrich, Heather Pettis, Bob Kenney, and Stormy Mayo.

The 2006 annual meeting of the Consortium will again be held at the New Bedford Whaling Museum in November, tentatively on November 8 and 9.

### **Papers**

The following papers were presented at the Consortium meeting on November 2 and 3. In many cases, the papers had multiple authors. Only the presenter is listed here. Contact information for the presenters will be posted on the Consortium's web site ([www.rightwhaleweb.org](http://www.rightwhaleweb.org))

## **POPULATION BIOLOGY AND DISTRIBUTION**

Scott Kraus – North Atlantic right whale report card

Bill McLellan – Northern right whale mortality events: November 2004-August 2005

Scott Kraus – Declines, collapses and recovery in North Atlantic right whale reproduction

Mason Weinrich – Summertime North Atlantic right whale (*Eubalaena glacialis*) sightings on Stellwagen Bank and surrounding waters, 2003-2005

Melissa Patrician – An investigation of the factors underlying the abandonment of the Roseway Basin feeding ground by the North Atlantic right whale (*Eubalaena glacialis*): 1993-1999

Chris Taggart – Does the food energy available in the Bay of Fundy meet the right whale energy demand?

Andrew Pershing – Predicting right whale feeding distributions from satellite data: Progress and plans

Mark Baumgartner – Observations of near-bottom foraging by right whales in the Great South Channel

Nathalie Jaquet – Movements and residency of right whales in Cape Cod Bay (1998-2005)

Becky Woodward – Development of a towed telemetry tag for tracking the long-term movements of right whales

Nadine Lysiak – Stable isotope analysis of right whale baleen used as a natural tag to assess migration patterns, distribution, and habitat use

Russel Leaper – Investigating right whale travel times along the mid-Atlantic coast based on photographic capture histories of individuals

James Manning – Changes in the physical oceanography of the Great South Channel in April and May 2005

## **ACOUSTICS**

Chris Clark – Acoustic detection buoys for near-real-time reporting of right whales

Susan Parks – Variation in acoustic activity of North Atlantic right whales in three critical habitat areas

## **HEALTH AND PHYSIOLOGY**

Rosalind Rolland – Characteristics of fecal glucocorticoids in right whales

Heather Koopman – Preliminary investigations of lipid metabolism in right whales: Using fecal samples to assess assimilation of copepod triacylglycerols and wax esters

Carolyn Angell – Body fat condition of free-ranging right whales, *Eubalaena glacialis* and *Eubalaena australis*

Regina Campbell-Malone – Bones beyond the beach: Investigating bone lesions discovered after necropsy

Joy Lapsertis – Cloning and biochemical characterization of the North Atlantic right whale aryl hydrocarbon receptor

Sandy Wise – Establishment and immortalization of whale cell lines

Sandy Wise – Tributyltin and hexavalent chromium are cytotoxic and genotoxic to the North Atlantic right whale (*Eubalaena glacialis*)

Celine Godard – The cytotoxicity of benzo[a]pyrene in reproductive and somatic cells from the northern right whale (*Eubalaena glacialis*)

David Laist – Announcement: Planning for a Marine Mammal Commission review of the cost effectiveness of the North Atlantic right whale recovery program

## **MANAGEMENT**

Diane Borggaard – Atlantic Large Whale Take Reduction Plan: Update on 2005 activities

Sharon Young: Legal options for protecting right whales

## **DATA COLLECTION AND MANAGEMENT**

Peter Duley – Resolution of aerial vertical photography using 35mm format digital cameras over water

Philip Hamilton – An update on DIGITS: Digital Image Gathering and Information Tracking System. Software to process, match and track digital images and data for individual identification studies

## **GENETICS**

Brenna McLeod – Using genetic analysis to evaluate the history of the western North Atlantic right whale, *Eubalaena glacialis*

Roxanne Bower – Genetic analysis of right whale fecal samples: Applications for individual identification

Tim Frasier – Patterns of male reproductive success in the endangered North Atlantic right whale

## **EDUCATION**

Allison Fleck and Georgia Zildjian – The Calvin Project: Endangered species recovery through education

## **SHIPPING**

Pat Gerrior and Bill McWeeny – Ship strike prevention curriculum module and teacher training efforts

Stormy Mayo – Predicting right whale distribution, aggregation, and ship strike risk using a resource-driven movement model

Angelia Vanderlaan – Ship collisions with whales: The probability of lethal injury based on ship speed

Chengfeng Wang – Modeling commercial ship traffic and its potential use for predicting interactions between ships and whales

Doug Nowacek – Response of right whales at the surface to alert/alarm signal

## **ENTANGLEMENTS: DOCUMENTATION AND MITIGATION**

Brian Sharp – Entangled North Atlantic right whale sightings from November 2004 - October 2005

Tora Johnson – Postcards from the road: Public discourse on right whale protection

Ben Brickett – Gear development and testing 2004-2005: Solving some mysteries to get some more clues

Stephen Robbins – Gear modification efforts in the State of Maine

Chris Taggart – Estimating the time and space relative probabilities of right whale and fishing gear entanglement in the Gulf of Maine & Scotia-Fundy region of the North West Atlantic

## Scientific Literature and Reports

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Glass, A.H., C.R. Taylor and D.M. Cupka. 2005. Monitoring North Atlantic Right Whales off the Coasts of South Carolina and Georgia 2004-2005. Final Report to the National Fish and Wildlife Foundation. Submitted by the South Carolina Department of Natural Resources, Marine Resources Division, Office of Regional Management, P.O. Box 12559, Charleston, S.C. 29422

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## Calendar of Events

December 10: 6:30 to 9:30 PM – Scoping meeting for the NMFS proposal to prepare an EIS on the issuance of permits for research on right whales. In conjunction with the 16<sup>th</sup> Biennial Conference of the Society for Marine Mammalogy. Manchester Grand Hyatt, San Diego. For details, see article on page 4.

December 11-16: 16<sup>th</sup> Biennial Conference on the Biology of Marine Mammals, San Diego, California. Sponsored by the Society for Marine Mammalogy. For more information, visit the Society's web site: <http://www.marinemammalogy.org/>

December 28: Postmark deadline for public comments on the Draft EIS on the Navy's proposed construction and operation of an Undersea Warfare Training Range off North Carolina. See article on page 2 for details.

January 3, 2006: Deadline for comments on the proposal to designate two areas off Alaska as critical habitat for North Pacific right whales. See article on page 7 for details.

January 19: Public scoping meeting on the NMFS proposal to prepare an EIS on the issuance of permits for research on right whales, 1-4 PM, Silver Spring Metro Center, Building 4, Science Center, 1301 East-West Highway, Silver Spring, MD. See article on page 4.

January 31: Deadline for submittal of comments on the NMFS proposal to prepare an EIS on the issuance of permits for research on right whales. See article on page 4.

May 4: Next meeting of the Southeast United States Right Whale Recovery Plan Implementation Team (SEIT). Tentative location: the Guana Tolomato Matanzas National Estuarine Research Reserve's Environmental Education Center in Ponta Vedra Beach, Florida. For additional information, contact Leslie Ward, co-chair of the SEIT, at [Leslie.Ward@MyFWC.com](mailto:Leslie.Ward@MyFWC.com)

November 8-9: Tentative dates for the 2006 Annual North Atlantic Right Whale Consortium meeting, New Bedford Whaling Museum, New Bedford, MA. For additional information see the Consortium's web site ([www.rightwhaleweb.org](http://www.rightwhaleweb.org)) or contact Consortium Secretary Heather Pettis at [hpettis@neaq.org](mailto:hpettis@neaq.org)

2007 (dates to be determined): 17<sup>th</sup> Biennial Conference on the Biology of Marine Mammals, South Africa. Sponsored by the Society for Marine Mammalogy. For more information, visit the Society's web site: <http://www.marinemammalogy.org/>

2009 (dates to be determined): 18<sup>th</sup> Biennial Conference on the Biology of Marine Mammals, Quebec City, Canada. Sponsored by the Society for Marine Mammalogy. For more information, visit the Society's web site: <http://www.marinemammalogy.org/>

## ***Right Whale News***



*Right Whale News* is a publication of the Southeast U.S. Right Whale Recovery Plan Implementation Team and the Northeast Implementation Team. The editor is Hans Neuhauser; the Associate Editor is Jim Hain. The editorial board consists of Bill Brooks, Moe Brown, Phil Clapham, Jerry Conway, Scott Kraus, Sigrid Sanders and Barb Zoodsma. With this issue, Phil Clapham will leave the editorial board.

The Gray's Reef National Marine Sanctuary, the Massachusetts Environmental Trust ([www.MassEnvironmentalTrust.org](http://www.MassEnvironmentalTrust.org)), the Southeast Right Whale Recovery Plan Implementation Team and the Northeast Implementation Team underwrite the costs of *Right Whale News*. Thanks to their support, *Right Whale News* is published quarterly and is distributed free of charge.

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