

# RIGHT WHALE NEWS

*An independent forum for right whale conservation and recovery,  
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## **Navy Receives Approval for Construction Phase of Undersea Warfare Training Range (USWTR)**

On 12 August 2009, the Navy announced its decision to develop an undersea warfare training range (USWTR) off the coast of northeast Florida (*Federal Register* August 12, 2009; Volume 74, Number 154, page 40573). At this time the Navy is implementing only a portion of the proposed action, a decision to move forward with installation of the USWTR, which consists of installing undersea cables and up to 300 nodes over a 500 square-nautical-mile area of the ocean. This location is approximately 50 nm from the northeast coast of Florida. The underwater nodes will be linked by underwater cable to a cable termination facility located ashore on Naval Station Mayport, Florida. (See diagram in *RWN* May 2009, page 1)

Although both the installation phase and training phase of the USWTR are analyzed in the Final Overseas Environmental Impact Statement/Environmental Impact Statement (OEIS/EIS), there is a bifurcation. This Record of Decision (ROD) implements only a portion of the proposed action by authorizing only the installation of the USWTR. Because the USWTR is not anticipated to be ready for operation until at least 2014, the analysis regarding the environmental effects from training on the range will be updated in a future OEIS/EIS document closer to the date when the training will begin. The principal type of training activities on the USWTR will be anti-submarine warfare. The decision to implement training on USWTR will be based on the updated analysis of environmental effects in a future OEIS/EIS in conjunction with appropriate coordination and consultation with the National Marine Fisheries Service (NMFS).

Under the Endangered Species Act, the “action agency” (the Navy) consulted with the “management agency” (NMFS). On 28 July 2009, NMFS issued its Biological Opinion (BO), finding that, “the Navy’s proposal to install an Undersea Warfare Training Range (USWTR) is not likely to affect endangered or threatened species under NMFS’ jurisdiction or critical habitat that has been designated for those species.” Pages 5-12 describe protective measures proposed by the Navy. Page 199 describes that re-initiation of formal consultation is required where either: 1) new information reveals effects of agency action that may affect listed species ... in a manner or to an extent not considered in [the] opinion, or 2) the agency action is subsequently modified in a manner that causes an effect to the listed species ... not considered in this opinion.

The complete text of the ROD is available on the web site: <http://projects.earthtech.com/uswtr>. The NMFS Biological Opinion is also located there, under Technical Reports.

## **Update on USWTR Surveys off Jacksonville, Florida**

*Contributed by William A. McLellan, UNC Wilmington*

As described in the May 2009 *RWN*, part of the Navy's USWTR program is a bio-monitoring program in the area of the proposed training range. The joint Duke University/UNC Wilmington USWTR JAX survey team is now housed in Fernandina Beach, Florida. Orion Aviation is contracted to provide Cessna 337 aircraft used for the aerial surveys. Vessel survey work is being conducted on the 38' Duffy *RV Two Angels* that is contracted from Alex Loer. Aerial surveys have been conducted monthly (weather permitting) since January, with nineteen days of effort to date. Vessel surveys began in July and six days of effort have been undertaken thus far. Aerial and vessel survey effort is scheduled to be conducted monthly through at least the fall and winter. No right whales have been sighted on the USWTR trackline surveys to date.

## **New England Aquarium Notes 30 Years Conducting Research in the Bay of Fundy from Field Station in Lubec**

*Jim Hain*

*(includes excerpts from the Bangor Daily News, 22 August 2009, and contributions from R.D. Kenney, University of Rhode Island)*

This season marks the 30<sup>th</sup> year that New England Aquarium researchers migrate to a field station in Lubec, Maine, and head out to survey and photograph right whales in the Bay of Fundy. For many of these seasons, the 29-foot vessel, *Nereid*, has been the principal survey and photography platform. Because nearly three-quarters of right whales bear scars or marks from human impacts, researcher Amy Knowlton described that the vessel work is important because it provides a close examination and documentation of these marks.

There is history behind this event, and it provides yet another glimpse as to how science unfolds. Right whales were reported as early as 1966 in the Bay of Fundy (Neave and Wright, *Journal of Mammalogy*, 1968). These sightings were recorded by watch-keeping officers aboard daily ferries. William E. Schevill, Woods Hole Oceanographic Institution, was quick to respond (*Journal of Mammalogy*, 1968), questioning the competence of the ferry officers in collecting sighting data, and stated, "...it is especially dangerous, and not quite responsible, to expand upon such data far beyond the information inherent therein," and concluded "it seems scientifically sound to consider the conclusions unfounded and the sight record of *Eubalaena glacialis* unconfirmed until an adequate study is made." Arnold and Gaskin (*Journal of the Fisheries Research Board of Canada*) countered in 1972, when they reported several right whale sightings in the area by trained observers. In the mid-1970s, an oil embargo by the Organization of Petroleum Exporting Countries (OPEC), combined with price controls imposed by President Nixon, resulted in an oil crisis in the U.S. Among the fallout was a proposal by the Pittston Company to build a \$350-million refinery in Eastport, Maine. Eastport provided deepwater access for supertankers, but also offered passages with strong tides and frequent fog. While right whales were not a central issue, the possible occurrence of the species in the area was brought

forward. The fallout also included proposed oil & gas leasing on the U.S. outer continental shelf, and exploratory oil rigs appeared off Cape Cod and Virginia. Studies designed to collect environmental data associated with the proposed leasing were initiated. Among these was the Cetacean and Turtle Assessment Program (CETAP) at the University of Rhode Island, funded by the Bureau of Land Management (later the Minerals Management Service). Data compiled by the CETAP program included records by the College of the Atlantic's Gulf of Maine sighting network. In a twist of history, interest in oil produced interest in right whales. Aerial surveys in 1980 by both the University of Rhode Island and the New England Aquarium reported 32 different right whales in the Bay of Fundy area, including five calves. The aquarium's boat-based research in the bay began the next year—in the summer of 1981. This long-term program has contributed mightily to right whale conservation and research.



New England Aquarium researchers aboard the *Nereid*, Bay of Fundy, 20 August 2003. The *Nereid* has been the principal survey and photo platform for most of the 30-year history of this program. (Photo: J. Hain)

## **LNG Terminal Proposed for Washington County, Maine**

Downeast LNG, Inc. proposes to import, store, and vaporize about 500 million cubic feet per day of liquid natural gas (LNG) at a terminal facility on the south side of Mill Cove in the Town of Robbinston, Washington County, Maine. The LNG terminal would be located on an 80-acre parcel near the confluence of the Passamaquoddy Bay and the St. Croix River. The location is about 10 miles north of Eastport, and 12 miles north of Lubec. The proposed marine terminal would include a 3,862-foot-long pier with a single berth. Operation of the project would result in regular transit of approximately 60 LNG vessels per year in the Bay of Fundy, Grand Manan Channel, Head Harbor Passage, Western Passage, and Passamaquoddy Bay. To minimize and/or avoid potential impact on right whales and other marine mammals, Downeast would apply

mitigation methods and is developing a Prevention and Mitigation Manual for construction and operation that outlines mitigation strategies such as limiting LNG vessel speed, use of forward watching whale spotters, and training and education programs. The Federal energy Regulatory Commission (FERC), the management agency, has recommended that Downeast continue consultations to determine appropriate mitigation strategies to minimize acoustic impacts, and identify any recommended seasonal or construction timing restrictions to minimize impacts on marine species and habitats. The FERC has concluded that the construction and operation of the Downeast LNG Project would result in some adverse environmental impacts. However, the FERC states that most of these impacts would be reduced to less-than-significant levels with the implementation of Downeast's proposed mitigation measures and the additional measures recommended in the Draft Environmental Impact Statement (issued 15 May 2009). Further information and documents are found at [www.ferc.gov/industries/lng.asp](http://www.ferc.gov/industries/lng.asp).

## **2009 Annual Meeting of the North Atlantic Right Whale Consortium Announced**

*Contributed by Heather Pettis, New England Aquarium*

The Annual Meeting of the North Atlantic Right Whale Consortium will take place 17-18 November 2009 at the New Bedford Whaling Museum in New Bedford, Massachusetts. Meeting information may be found through the Consortium website at <http://www.rightwhaleweb.org>. Click on the Meetings tab. You may register online, or offline by downloading the registration from the website. When filling out the registration form, please be sure to include updated affiliation, address, and email information. Early registration (\$100) will run from now until 23 October, after which registration fees increase (\$150). Registration will close on 13 November. This is also an official call for presentations. If you would like to present at the meeting, you MUST submit an abstract for review by 4 September. Abstracts should be submitted via the Meeting website. Presenters will be notified no later than 1 October. Hotel, venue, directions, and parking information are also posted on the website. Additional information, including the Meeting Agenda, will be posted as the meeting approaches.

## **Right Whale Festival 2009**

*Contributed by Cheryl Bonnes, NMFS-Southeast Region,  
and Jessica Koelsch, Ocean Conservancy*

The first annual Right Whale Festival will be held Saturday, 5 December 2009, from 10 am to 4 pm at the Sea Walk Pavilion in Jacksonville Beach, Florida. The mission of the festival is to celebrate right whales and their seasonal return to the waters off Florida and Georgia. This outreach event will educate the public about right whale management and protection measures. Attendees will leave with knowledge of the close-approach rule, the importance of this region to right whales, how to recognize and avoid disturbing mother-calf pairs, the importance of reducing vessel speed when whales are present, and the value of protecting these marine

mammals. Information will be provided on research and conservation programs as well as volunteer opportunities.

This free, one-day, family-oriented festival will feature live music, food, kids' activities, arts & crafts, and exhibits geared towards raising awareness and inspiring the community about these critically endangered whales, their habitat, and conservation needs. Festival highlights include a beach clean-up at 9 am, and live music featuring The Hip Abduction—a reggae, world-beat band—beginning at noon. A beach run will be taking place at 3 pm; register at <http://www.performance multisports.com/rightwhale5k.htm>.

Numerous local, state, and national organizations are partnering to host this first-ever event, including Ocean Conservancy and NOAA Fisheries Service with sponsorship from the Protect Florida's Whales License Plate Fund through the Harbor Branch Oceanographic Institution at Florida Atlantic University. Other partners and sponsors include JAXPORT, Keepers of the Coast, Jacksonville Zoo, Guana Tolomato Matanzas National Estuarine Research Reserve, Florida Fish and Wildlife Conservation Commission, Marineland Right Whale Project, Marine Resources Council, Wilson Communicates, Florida Wildlife Federation, and many others! For more information about this event, please visit [www.rightwhalefestival.org](http://www.rightwhalefestival.org).



## **Right Whale Named as South Carolina's State Migratory Marine Mammal**

*Contributed by Kara Mahoney and Jonathan Cunha, New England Aquarium*

It all started when Lynn Eldridge, an art teacher at Alice Drive Elementary School in Sumpter, South Carolina, decided to paint a mural of right whales in the school cafeteria. Teachers at the school began incorporating right whale education in their classes. In the fall of 2008, the students wrote a letter to their State Senator, Phil Leventis, requesting that the North Atlantic right whale be named South Carolina's state marine mammal. Members of the right whale research community learned of their efforts and were eager to help. Kara Mahoney and Jonathan Cunha from the New England Aquarium's Right Research Team visited Alice Drive Elementary in

early April 2009. During a tour of the school, Kara and Jonathan saw the results of the efforts the children put into learning about right whales. Outside every classroom was some type of right whale factoid, from life-size posters of a calf, to migration and eating habits. Their hard work paid off when in early June 2009 the North Atlantic right whale was named South Carolina's Official State Migratory Marine Mammal. The right whale shares its designation with the bottlenose dolphin, named the Official State Marine Mammal, and the wood duck, named the Official State Duck. The efforts of both teachers and students were paramount in the nomination of the right whale as the state's marine mammal. Overall, it was a victory for right whales and a tremendous learning experience for all involved in the effort.

## **Right Whale Community Mourns the Loss of Pilot and Friend**

*Contributed by Monica Zani, New England Aquarium*

On 1 July 2009, Ron Salmon unexpectedly passed away at the age of 45 at his Fernandina Beach home. Ron was a pilot for the city of Jacksonville, Florida, but each winter, Ron took time to fly right whale surveys in the southeast critical habitat/calving ground. During the past 15 years Ron flew for Environmental Aviation Services, Orion Aviation, and Eagle Cap Aviation providing aerial support for manatee and right whale surveys for Florida Fish and Wildlife Conservation Commission, New England Aquarium, and Georgia Department of Natural Resources.

I was lucky enough to begin flying with Ron on my very first aerial survey for right whales back in 1999. From that first flight Ron set the bar high and I quickly became accustomed to his easy and smooth circling, his laid back personality, and even all that country music he made me listen to. Ron quickly became a close friend and his family, my family. So many right whale researchers during the past 15 years have flown with Ron and they all found ease and comfort in his ability in the cockpit and found laughter in his jokes during slow surveys. To know Ron was to love Ron and I feel so fortunate to have known Ron, flown with him, and laughed with him for so many years. His loss has truly been devastating for his family, friends, and the right whale community.

## **Changes**

Bernice Snyder, head of the Fleet Support Section, Commander Navy Region Southeast Environmental Planning, Jacksonville, Florida, and participant in the SEUS Implementation Team (SEIT) meetings has a new position at Naval Facilities Engineering Command (NAVFAC) HQ in Washington D.C. Barbara Howe, Navy Region Southeast and NAVFAC Southeast Environmental Planning and Conservation Branch Head (Jacksonville FL), will be replacing Bernice on the team until her position is filled. Nancy Allen, Natural Resource Specialist, Naval Facilities Engineering Command and Navy Region SE, joined the SEIT last year and will continue her support. Barbara has been an active member in the past.

Dr. Jim Mead, the Smithsonian Institution's Curator of Marine Mammalogy at the National Museum of Natural History (NMNH), retired on July 3rd. Jim attended Yale, the University of Texas, and the University of Chicago. In 1972, Jim was offered the position of Curator of Marine Mammals at the NMNH. He expected to continue his work on the anatomy and natural history of whales taken off Newfoundland but Canada ceased whaling that year. So he switched to stranded animals, specializing in beaked whales. Jim was a key player in the formation of the Society of Marine Mammalogy and served as its president in 1984 and 1985. Jim will continue to be involved in the Marine Mammal Collection. A more complete biography is found at: [www.marinemammalogy.org](http://www.marinemammalogy.org).

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## Calendar

4 September 2009. Abstracts due for the North Atlantic Right Whale Consortium Annual Meeting. See article on page 4.

12-16 October 2009. 18<sup>th</sup> Biennial Conference on the Biology of Marine Mammals sponsored by the Society of Marine Mammalogy, to be held in Quebec, Canada. For details, go to [www.marinemammalogy.org](http://www.marinemammalogy.org).

27 October 2009 (tentative date). Southeast U.S. Right Whale Recovery Plan Implementation Team (SEIT) meeting. To be held at the Environmental Education Center, Guana Tolomato Matanzas National Estuarine Research Reserve, Ponte Vedra, Florida. For information, contact SEIT co-chair, Leslie Ward at [Leslie.Ward@MyFWC.com](mailto:Leslie.Ward@MyFWC.com).

17-18 November 2009. North Atlantic Right Whale Consortium Annual Meeting. New Bedford Whaling Museum, New Bedford, Massachusetts. For information, see article on page 4 and the Right Whale Consortium website, [www.rightwhaleweb.org](http://www.rightwhaleweb.org), in early fall.

5 December 2009. Right Whale Festival, Jacksonville Beach, Florida. See article on page 4.



## ***Right Whale News***

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