



May 17, 2024

President Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Ave. NW
Washington, DC 20500

Dear Mr. President:

On behalf of the more than 100,000 members and advocates of our organizations throughout Georgia, we write to urge your administration to **immediately finalize NOAA Fisheries' proposed expansion of a 2008 vessel speed rule to protect the critically endangered North Atlantic right whale.** The rule is now at the White House Office of Management and Budget. We urge that this final stage of the rulemaking process be expedited, and a protective final rule issued as soon as possible.

The right whale is a beloved species here in Georgia. Every November to April, the warm, shallow waters of our Southeastern coasts serve as the right whale's only known calving ground in the world. Biologists with Georgia's Department of Natural Resources work in close partnership with NOAA Fisheries to document and protect these precious animals, quite literally putting their lives on the line to survey the population and respond to emergencies. Meanwhile, Georgians across the state watch anxiously for the return of 'our' whales every winter, and we cheer the reports of newborn calves in our waters.

But time is running out to save Georgia's state marine mammal. With only an estimated 360 individuals remaining on this planet—and most critically, fewer than 70 reproductively active females—this species faces the threat of extinction within our lifetimes. In 2017, increased documented mortalities led NOAA Fisheries to declare an Unusual Mortality Event (UME). To date, the ongoing UME includes 40 documented right whale deaths and 34 documented serious (i.e., likely fatal) injuries.

Among these are four right whales— a reproductive female, a juvenile female, and two newborn calves—killed or seriously injured by vessel strikes in Southeastern U.S. waters during the 2024 calving season alone. In fact, the very first right whale calf documented this season was fatally wounded by a vessel strike mere weeks after birth. Biologists and survey teams intensively monitored the injured calf and her mother off our coast for weeks before the calf stranded dead on Cumberland Island in March.

Further, scientific research demonstrates that only about one-third of right whale deaths are ever documented. If we fail to act by immediately reducing vessel strikes in U.S. waters, this magnificent species is predicted to become functionally extinct within decades. These deadly vessel collisions occur because the whales' habitat and migration routes are close to Atlantic ports and harbors. The faster a vessel is traveling when it hits a large whale, the higher the likelihood that whale will suffer serious injury or death. Seasonal speed restrictions, when imposed in areas of high right whale/vessel traffic overlap, substantially reduce the risk of such strikes, which also pose significant safety risks for humans, especially in smaller vessels.

According to NOAA and Georgia DNR's data, since the existing vessel speed rule was first implemented in 2008, the number of right whales killed by large vessels over 65 feet in the U.S. immediately declined, while the number of mortalities from those 65 feet or less did not. Too many whales are still being struck and killed by these smaller vessels, making the 2008 vessel speed rule a necessary but insufficient management tool. It must be strengthened to encompass broader seasonal areas and an expanded size class of vessels if we want to save right whales from extinction. Finalizing the August 2022 proposal would do just that. Specifically, the proposed amendments would:

- broaden the boundaries and timing of Seasonal Speed Zones along the East Coast based on the best available scientific data about right whale/vessel traffic overlap;
- expand mandatory seasonal speed restrictions of 10 knots or less to include most vessels 35–65 feet in length;
- create a mandatory Dynamic Speed Zone program establishing temporary 10-knot transit zones when right whales are detected outside designated Seasonal Speed Zones; and
- update the rule's safety provisions, allowing vessels to exceed the 10-knot restriction in circumstances where human health and safety are at risk.

Right whales have no more time to wait—and we cannot let this species go extinct when the solution to the problem is within our grasp. With the shocking number of right whales already killed by vessel strikes this year, it is imperative that we implement stronger, more effective protections now. It is especially critical that they be in place before the next calving season begins in mid-November. To prevent the North Atlantic right whale's extinction, we urge your administration to finalize the proposed amendments to the 2008 vessel speed rule immediately.

Thank you for your consideration.

Sincerely,

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cc:

Senator Jon Ossoff
Senator Raphael Warnock

One Hundred Miles (OHM) is a nonprofit organization based in Brunswick, Georgia, dedicated to protecting and preserving Georgia's coast through advocacy, education, and citizen engagement. We focus on a variety of coastal conservation issues, including the protection of threatened and endangered wildlife like the North Atlantic right whale.