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OMB Control Number 0648–0580 Comment

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Sent to National Oceanic and Atmospheric Administration via www.regulations.gov.

Re: Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Implementation of Vessel Speed Restrictions to Reduce the Threat of Ship Collisions With North Atlantic Right Whales; Document Number 2023-20567

Dear Adrienne Thomas and NOAA:

I am writing to share my support for the proposed rulemaking. I grew up on the water, getting my own boater's license and education card at age 15, as well as my International Yacht Crew certification at 18. I understand the importance of following rules and regulations on the water to ensure safe travels, operations, and maintenance of a healthy sea.

As a college student studying marine science, I have learned about the extensive impacts of humans on the marine environment, as well as the importance of whales not only in the ocean ecosystem, but also for the entire environment in the world. Whales play an important role in acting as a natural carbon sink, in turn helping to mitigate climate change. They are important members of marine food webs, nutrient cycling, and host symbiotic relationships. I support this rulemaking for these reasons.

Background

The National Oceanic and Atmospheric Administration (NOAA) proposes maintaining speed restrictions on the US East coast to reduce boat collisions with endangered North Atlantic Right Whales. This rule aims to renew the ability to collect information to monitor whether people are abiding by the regulations – National Marine Fisheries Service (NMFS) wants to continue to require vessel operators to keep a log of any times they disobeyed the speed limit with a valid reason why (eg. it was necessary for safe vessel maneuverability under certain conditions). NOAA collects voluntary online surveys from vessel operators of large ships and pleasure yachts, and surveys groups to ask about their knowledge and opinions on the vessel speed restrictions and conservation efforts for North Atlantic Right Whales to determine the best course of outreach for providing information on the status of the species.

The current proposed rule seeks to maintain a ruling from 2008. The rule requires vessels to operate at a maximum speed of 10 knots in order to reduce the likelihood of North Atlantic Right Whale collisions, and

sets the requirement for logging justifications for any deviations from this speed (“Endangered Fish and Wildlife”).

Unfortunately, harmful human influence on these whales has been long rooted in history. The “Right” in the name comes from the old discourse among fishers that they were the right type of whale to hunt (Costa, 2023). The North Atlantic Right Whale has been protected under the Endangered Species Act since it was passed in 1973, with population numbers decreasing ever since. Since 2017, these whales have experienced an unusually high mortality rate. Vessel strikes cause the most deaths with known reasons, while entanglement causes the majority of nonlethal injuries (NOAA Fisheries, 2023).

Ecosystem Services of North Atlantic Right Whales

I approve of the proposed rulemaking because North Atlantic Right Whales are incredibly important members of the marine ecosystem, and enacting this rule will contribute to their survival and ability to continue to provide ecosystem services. North Atlantic Right Whales are baleen whales that reside along the east coast of the United States, migrating annually between calving grounds off North Florida and Georgia, and feeding grounds in the Gulf of Maine (Costa, 2023).

North Atlantic Right Whales play an important role in what is known as the whale carbon pump. Through this process, whales regulate atmospheric carbon through two pathways; direct removal as dead, sinking carcasses carry stored carbon accumulated throughout their lifetime to the bottom of the ocean for long term sequestration, and indirect removal through their circulation of nutrients to surface waters for phytoplankton growth (Roman et al, 2010). The latter pathway involves the whales diving to feed at depths, and defecating near the surface as they breathe, as well as feeding in highly productive waters at high latitudes and bringing those nutrients into lower latitudes during migration (Pearson et al, 2023). Whale feces contain high levels of nitrogen, phosphorus, and iron, which are all necessary nutrients needed for phytoplankton to undergo photosynthesis, the process in which they remove carbon from the atmosphere (Roman et al, 2010). Additionally, the defecation of essential nutrients for phytoplankton help provide an abundant food source for all the lower trophic levels that rely on these species. With a bottom-up effect on the other trophic levels through their fecal defecation, whale activity can support local fisheries by helping to maintain a balanced marine ecosystem.

Boat Speed Impacts

Vessel speed can have various impacts on North Atlantic Right Whales, as well as other marine organisms. As this rule suggests, boat collisions create a significant problem for these whales. This has obvious, straightforward effects on the whales as a species, injuring if not killing individuals.

In addition to physical collisions, high boat speed creates additional noise pollution, which also threatens North Atlantic Right Whales. Whales communicate with high frequency sound, and hearing constant low frequencies from boat motors can disturb the natural passage of sound underwater, disrupting social constructs and survival behaviors (Duarte, 2021). Additionally, because whales dive down to feed at depths, hearing sudden noises from passing vessels can cause panic, leading the whales to rush to the surface too fast and experience the equivalent of human decompression sickness. As whales also use echolocation to find food and understand their surroundings, added noise can cause whales to feel disoriented, potentially causing them to travel to unfamiliar areas and get lost. All of these impacts emphasize the importance of reducing

noise pollution to coast environments, which can be done by reducing speed and making vessel operators more aware of the threats to this endangered species (Costa, 2023).

As aforementioned, whales have an important role in regulating population levels in marine food webs, as well as contributing to the natural ability of the ocean to act as a carbon reservoir. Thus, with populations declining at a concerning rate, we risk losing these natural benefits whales provide and disrupting the balance of the marine ecosystem. With North Atlantic Right Whales being a potential help in mitigating climate change impacts, it is vital that we do all we can to protect this species.

Conclusion

I support NOAA's proposal for the continuation of current data collection and the implementation of new types of data collection for vessel operators because it is in the best interest of the North Atlantic Right Whale. The health and conservation of the Right Whale is vital to maintaining stable coastal Atlantic ecosystems, mitigating climate change impacts, and contributing to the success of fisheries.

Thank you,

Sydney Loebach

Citations:

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