

Coastal Office
428 Bull Street, Suite 210
Savannah, GA 31401
tel 912.447.5910
fax 912.447.0704
coastal@gaconservancy.org
georgiaconservancy.org

May 20, 2024

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



RE: Support For NOAA Fisheries 2008 Vessel Speed Rule Expansion

PRESIDENT
Katherine Moore*

Dear Mr. President:

BOARD CHAIR
Virginia Harman, Cave Spring*

On behalf of the Georgia Conservancy, we are writing to you to express our support for the swift approval of NOAA Fisheries' proposed expansion of the 2008 Vessel Speed Rule, to express gratitude for the federal efforts to protect the critically endangered North Atlantic right whale (NArw), and to share that we are committed to continuing to advocate for conservation of this critically endangered species.

BOARD OF TRUSTEES
Stephen Bailey, St. Simons Island
Townsend Bailey, Atlanta
Carmen Foskey Bergman, Savannah
Mikita Browning, Smyrna
Greg Corbett, Roswell
Fred Daniels, Jr., Stone Mountain
Hardie Davis Jr., Hephzibah
Brian Diesselhorst, Florida
Nick Donkar, Atlanta
Jennifer Gilmer, Atlanta*
Holly Hill, Atlanta
John Hutchins, Atlanta
Byron Kirkpatrick, Atlanta*
Mike LaFerle, Marietta
Loretta Lepore, Savannah
Tim McKinley, Atlanta*
Steve Mooney, Atlanta
John R. Mulcahy Jr., Atlanta
Gerald Pouncey, Kennesaw
Ebony Preston, Powder Springs
Bo Quick, Newnan
Stacy Shailendra, Atlanta
Jennifer Winn, Atlanta

The Georgia Conservancy has served our state's conservation interests for 57 years and has played a major role in helping Georgians understand and protect our beloved State Marine Mammal, the NArw. Our organization supports the proposed Speed Rule with the sincere hope that compliance with this rule will help in the recovery of the NArw. These animals are critically endangered, with a total population estimate of less than 360 whales. Of this number, approximately 70 are thought to be breeding females, which makes every serious injury or death of a breeding female or a calf a major loss for the species and for global biodiversity. If we do not do more to protect the NArw now, it is likely that this species will go extinct in our lifetime.

ADVISORY COUNCIL
Claire L. Arnold, Atlanta
Braye Boardman, Augusta
Joel Cowan, Peachtree City
Ann Q. Curry, Atlanta
C. Edward Dobbs, Atlanta
Amir Farokhi, Atlanta
J. Lacey Lewis, Atlanta
Chet Hurwitz, Atlanta
Leslie Mattingly, St. Simons Island
Hank Linginfelter, St. Simons Island
Leopoldo Miranda, Marietta
Joe Montgomery, Rome
Marci Collier Overstreet, Atlanta
Laura Turner Seydel, Atlanta
Ron Shipman, Macon
Jim Timmons, Atlanta

Numerous studies have indicated that slowing the speed of vessels reduces the risk of lethal vessel collisions with right whales. Pregnant whales travel from Canada and New England along the eastern seaboard to Georgia's coastal waters to give birth and nurse their young, making them particularly vulnerable to ship strikes. These collisions can cause broken bones and massive injuries or cuts from propellers, as well as threaten the safety of passengers and their vessels. Vessels of nearly any size can injure or kill a right whale. The faster a vessel is traveling when it hits a whale, the higher the likelihood of serious injury or death.

In 2017, increased documented mortalities led NOAA Fisheries to declare an Unusual Mortality Event (UME). From 2017 - 2023, the UME included 74 confirmed deaths or lethal injuries, of which 18 were confirmed to be caused by vessel strikes. Since 2005 there have been at least 10 NArw mortalities or

*Executive Committee Member

life-threatening injuries caused by collisions with vessels under 65ft. This past year, four additional NArw right whales— including a mother and her calf, a yearling, and a reproductive female— were killed by vessel strikes in Southeastern U.S. waters. Tragically, the very first right whale calf documented this season, Juno's calf, was fatally wounded by a vessel strike mere weeks after birth and suffered for weeks before stranding on Cumberland Island in March.

In addition to the regulations, we support additional funding for compliance and education, including for Automatic Information System (AIS) notifications. The proposed rules, with added enforcement, will level the playing field and benefit those "good actors" who are already complying with the current regulations. Educating the boating public through AIS, signage, and other outreach will create a community of compliance, similar to the seatbelt safety campaigns of the past.

If this rule is not adopted and enforced, we fear more extensive and expensive regulatory action will be needed as the NArw population further declines. Thus, we see compliance with slower speeds under the proposed rule as an economically sensible choice that could help prevent more draconian measures if the UME continues.

If we consider survival of this species a priority, it is clear that the 2008 vessel speed rule must be strengthened to encompass broader seasonal areas and an expanded size class of vessels. With the alarming number of right whales already killed by vessel strikes this year, more effective protections are needed now. 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, so that these protections can be in place before the next calving season begins in November 2024 and that the first calf born will go on to ensure the survival of its species.

We appreciate your consideration of our request.

Sincerely,

THE GEORGIA CONSERVANCY



Katherine Moore, AICP
President



Courtney Reich, AICP, CFM
Coastal Director

cc: Senator Jon Ossoff
Senator Raphael Warnock