

October 31, 2022

Ms. Janet Coit
Assistant Administrator
NOAA Fisheries
1315 East West Highway
Silver Spring, Maryland 20910

Re: Proposed North Atlantic Right Whale Vessel Strike Reduction Rule

Dear Administrator Coit:

As bipartisan leaders of our respective state legislative sportsmen's caucuses, we are writing to express our concerns regarding the proposed amendment to the North Atlantic right whale vessel strike reduction rule. We are fully supportive of right whale conservation efforts, and our states are willing to work with the National Marine Fisheries Service (NMFS) to address the challenges for the endangered right whale population. However, given the substantial impact of the proposed vessel speed rule on the ability of anglers and boaters to venture offshore for much of the year, the potential for problems with safety at sea, the fact the massive seasonal management zones will have little measurable benefits to right whale conservation, and the lack of overall stakeholder engagement by the agency, we urge NMFS to delay moving forward with this rule until additional analysis can be completed and new alternatives developed in collaboration with the recreational fishing and boating industry.

As America's original conservationists, the recreational fishing and boating community has long been a key partner with state and federal agencies in finding solutions for the successful management of our nation's fish and wildlife resources. It is unfortunate that they were not given the opportunity to have meaningful engagement on the development of the right whale proposed rule, and we fear the unintended consequences of what is being proposed will have significant detrimental effects to our coastal economies and our way of life with little or no gain for right whales.

As currently proposed, the rule would expand mandatory speed restrictions to include vessels 35 to 65 feet and significantly broaden seasonal speed zones (SSZs) in both space and time, impacting tens of thousands of recreational vessels. Equally concerning is the impact this rule would have on the recreational charter fishing industry and non-boat owners. Thousands of anglers who cannot afford their own boat must rely on Atlantic Coast charter fishing businesses to access their marine resources. The proposed 10-knot maximum speed limit extending 40 to 90 miles offshore will considerably extend travel times, reduce available fishing time, and prohibit safe access to productive fishing areas for much of the year.

With recent advancements in aerial surveillance, satellite tagging, and DNA detection technologies, combined with the relatively few individual right whales off our coast, management would be more successful using real-time information to alert boaters of right whale presence and implementing slow speed requirements where whales actually occur, rather than using blanket, prohibitive speed zones in areas where they are not. While disseminating that information to boaters in real time may be perceived as a challenge, the angling and boating community stands ready to assist with offering viable solutions that can achieve right whale conservation goals without substantial, negative impacts to our coastal economies and culture.

Again, we are fully supportive of efforts to conserve the North Atlantic right whale, but we are asking for additional time to determine if conservation objectives could be achieved with less restrictive measures.

Thank you for your consideration, and we look forward to working with you to ensure our community is doing our part in the conservation of North Atlantic right whales.

Sincerely,

Senator Bruce C. Ennis
Delaware Legislative Sportsmen's Caucus

Representative Jason Shoaf
Florida Legislative Sportsmen's Caucus

Representative David Knight
Georgia Legislative Sportsmen's Caucus

Senator Russ Goodman
Georgia Legislative Sportsmen's Caucus

Delegate Wendell Beitzel
Maryland Legislative Sportsmen's Caucus

Delegate Ned Carey
Maryland Legislative Sportsmen's Caucus

Representative David T. Vieira
Massachusetts Legislative Sportsmen's Caucus

Senator Joseph Griffo
New York Legislative Sportsmen's Caucus

Assemblyman Colin Schmitt
New York Legislative Sportsmen's Caucus

Senator Steve Jarvis
North Carolina Legislative Sportsmen's Caucus

Representative Michael Wray
North Carolina Legislative Sportsmen's Caucus

Representative Larry Yarborough
North Carolina Legislative Sportsmen's Caucus

Representative Ryan Warner
Pennsylvania Legislative Sportsmen's Caucus

Senator Gordon Rogers
Rhode Island Legislative Sportsmen's Caucus

Senator Stephen Goldfinch
South Carolina Legislative Sportsmen's Caucus

Senator Thomas McElveen
South Carolina Legislative Sportsmen's Caucus

Representative Bobby Cox
South Carolina Legislative Sportsmen's Caucus

Representative Roger Kirby
South Carolina Legislative Sportsmen's Caucus

Representative Brian White
South Carolina Legislative Sportsmen's Caucus
NASC Executive Council President