

May 23, 2024

The Honorable Shalanda Young
Director
Office of Management and Budget
725 17th St., NW
Washington, DC 20503

The Honorable Richard Revesz
Administrator
Office of Information & Regulatory Affairs
725 17th St., NW
Washington, D.C. 20503

Re: Amendments to the North Atlantic Right Whale Vessel Strike Reduction Rule

Dear Director Young and Administrator Revesz:

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 you to withdraw the proposed rule until more reasonable and effective alternatives can be developed and presented.

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, increase trip costs, and prohibit safe access to productive fishing areas for much of the year.

With recent advancements in technologies including aerial surveillance, satellite tagging, vessel-mounted infrared cameras, marine radar, forward facing sonar, crowd-sourcing applications, and geofencing capabilities to transmit known locations to nearby vessels, North Atlantic right whale conservation could be more successfully achieved by using this real-time information to alert boaters of right whale presence so that they may avoid dangerous collisions. Unfortunately, NMFS did not consult with the boating industry during the development of the rule, and the application of this current and rapidly advancing technology was never considered as an alternative to the proposed rule.

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 present more realistic and effective alternative conservation measures during the rule development process. 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.

Again, we are fully supportive of efforts to conserve the North Atlantic right whale, but we are asking for the proposed rule to be withdrawn so that a new rule making process, in collaboration with the marine-related manufacturing community, can begin immediately. More effective North Atlantic right whale conservation objectives could be achieved with less restrictive measures.

Thank you for your consideration.

Sincerely,

Representative Danny Alvarez
Florida Legislative Sportsmen's Caucus

Senator Jim Boyd
Florida Legislative Sportsmen's Caucus

Senator Russ Goodman
Georgia Legislative Sportsmen's Caucus

Representative David Vieira
Massachusetts Legislative Sportsmen's Caucus

Senator Joe Griffo
New York Legislative Sportsmen's Caucus

Senator Danny Britt
North Carolina Legislative Sportsmen's Caucus

Senator Steve Jarvis
North Carolina Legislative Sportsmen's Caucus

Senator Stephen Goldfinch
South Carolina Legislative Sportsmen's Caucus

Delegate Hyland F. "Buddy" Fowler, Jr.
Virginia Legislative Sportsmen's Caucus

Senator Jason Brodeur
Florida Legislative Sportsmen's Caucus

Representative David Knight
Georgia Legislative Sportsmen's Caucus

Senator Jack Bailey
Maryland Legislative Sportsmen's Caucus

Senator Peter Durant
Massachusetts Legislative Sportsmen's Caucus

Assemblyman Robert Smullen
New York Legislative Sportsmen's Caucus

Representative Michael Wray
North Carolina Legislative Sportsmen's Caucus

Representative Michael Chippendale
Rhode Island Legislative Sportsmen's Caucus

Representative Bobby Cox
South Carolina Legislative Sportsmen's Caucus

Delegate Betsy B. Carr
Virginia Legislative Sportsmen's Caucus