



# MARINE MAMMAL COMMISSION

19 April 2017

Mr. Samuel D. Rauch III  
Acting Assistant Administrator for Fisheries  
National Marine Fisheries Service  
1315 East-West Highway  
Silver Spring, MD 20910

Dear Mr. Rauch:

Thank you for the participation of National Marine Fisheries Service (NMFS) staff in the Marine Mammal Commission's (the Commission) Annual Meeting, held in North Falmouth, MA on 5-7 April 2017. This letter provides general advice in response to information presented at the Annual Meeting session on North Atlantic right whales (NARW). We are providing advice now so that it might be considered in the context of upcoming meetings on the subject. The Commission may provide further specific recommendations in future correspondence, depending in part on the outcomes of those meetings.

Presentations at the Annual Meeting focused on a review of NARW population status and health and on research and management priorities for reducing the frequency and severity of entanglements. Specifically, they covered (1) NARW abundance and trends, (2) NMFS/Northeast Fisheries Science Center (NEFSC) and North Atlantic Right Whale Consortium research, (3) entanglement trends and effects, (4) NMFS/Greater Atlantic Regional Fisheries Office (GARFO) management, (5) research and management in Canada, and (6) development of whale-release rope, rope sleeves, and ropeless or "on-call" buoy systems. All of the slide presentations and a summary of the session are posted on our website ([www.mmc.gov](http://www.mmc.gov)).

Mortality from ship strikes has been reduced by effective management actions, however, entanglements appear to have been increasing in frequency and there is mounting documentation that entanglements affect the fitness of whales for several years after the entangling gear has been absent. For these reasons, entanglement is now regarded as the greatest anthropogenic threat to NARWs and accordingly must be urgently addressed. Based on the presentations on status and health, we have several major concerns about population trends. There is strong evidence that abundance has been decreasing since 2010. Calf production has declined, with 80% of the mature females known to be available to give birth since 2010 not calving. It appears that the health of adult whales, particularly lactating and other mature females, has declined. There is no doubt that entanglement deaths and severe injuries, especially to mature females, are increasing and that entanglement and resulting sub-lethal injuries are contributing to both poorer individual health and lower calving rates. The presentations at the Annual Meeting heightened our concerns about the future of this species. We therefore urge NMFS to take a more aggressive approach to investigate the NARW population's reproduction, distribution, prey availability, and health status, as well as the effectiveness of measures being taken to reduce entanglements and ship strikes. To be effective, it is essential for NMFS to conduct studies across the full geographic range of the NARW population in a coordinated science and management effort. This will require continued and indeed expanded constructive engagement with Canada on both science and management fronts.

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This increased effort to determine causal factors in the declining health and productivity of NARWs should not detract from the immediate pursuit of measures to reduce the lethal and sub-lethal effects of entanglement in both the United States and Canada. Serious injury and mortality from entanglement continue to exceed the U.S. goal of achieving an annual removal rate below Potential Biological Removal level (PBR). Therefore, efforts to reduce entanglements must be continued and strengthened. Steps discussed at our Annual Meeting which should be considered at next week's meeting of the Atlantic Large Whale Take Reduction Team (ALWTRT) include (1) continuing development and testing of new gear or technologies to reduce the risk of entanglement, along with developing a plan for phasing in the use of low breaking-strength buoy lines, and on-call buoys in deep offshore waters, (2) enhanced gear marking in both U.S. and Canadian waters to improve information on the sources of entangling gear, and (3) upgrading the model and data collection used to monitor and evaluate the effectiveness of mitigation measures, including identification of gear removed from NARWs. Such measures will require significant changes to the current Atlantic Large Whale Take Reduction Plan, and we urge NMFS to use the upcoming ALWTRT meeting to make progress toward a rulemaking process to amend and strengthen that existing plan.

United States-Canadian partnerships and cooperation on development, testing, and phasing-in of new gear or technologies should continue and be strengthened, even as the United States continues to tackle right whale entanglement in our own waters. The Commission was encouraged to learn at our Annual Meeting that Canadian participants will join the ALWTRT meeting next week and that the Canadian government is infusing a substantial amount of funds toward ocean ecosystem science and management, a portion of which will support marine mammal efforts.

Thank you once again for the constructive participation of NMFS staff in our meeting and for the important and ongoing work of NMFS on NARWs. We hope you find these comments useful and we look forward to further collaboration on meeting the challenges of NARW conservation and recovery.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca J. Lent".

Rebecca J. Lent, Ph.D.,  
Executive Director

cc: Donna S. Wieting, National Marine Fisheries Service  
Francisco Werner, National Marine Fisheries Service  
John K. Bullard, National Marine Fisheries Service  
Jonathan A. Hare, National Marine Fisheries Service