



THE BAY CENTER
100 Save The Bay Drive
Providence, RI 02905
phone: 401-272-3540
fax: 401-273-7153
savebay@savebay.org
www.savebay.org

EXPLORATION CENTER
Easton's Beach
P.O. Box 851
Newport, RI 02840
phone: 401-324-6020
fax: 401-324-6022

SOUTH COAST
CENTER
Riverside Building
8 Broad Street
Westerly, RI 02891
phone/fax: 401-315-2709

submitted electronically via regulations.gov

October 31, 2022

Re: North Atlantic Right Whale Vessel Strike Reduction Rule, NOAA-NMFS-2022-0022

Save The Bay represents thousands of members and supporters committed to preserving, restoring, and protecting the ecological integrity and value of Narragansett Bay and adjacent waters. We appreciate the opportunity to comment on NOAA's proposed changes to the North Atlantic Right Whale (NARW) Vessel Strike Reduction Rule. The NARW is one of the ocean's most iconic inhabitants. It is also one of the most threatened, with approximately 340 individuals remaining despite being listed and protected under the Endangered Species Act since 1970. As such, Save The Bay supports the proposed rule as an important and necessary measure to mitigate and reverse the negative trend in the NARW population.

The creation of the Vessel Speed Rule in 2008 was an important first step in attempting to reduce the number of vessel strikes in areas frequented by NARWs for feeding, breeding, calving, and migration. Since then, NARW ship strikes have continued at a troubling rate. It is clear that without further intervention, the NARW species is trending towards extinction. The current proposed rule incorporates almost fifteen more years of research and data to identify additional measures that can, if properly implemented and enforced, protect the remaining NARW population as it struggles to rebuild.

Save The Bay supports the modification and expansion of Seasonal Management Area boundaries based on updated modeling and data, as well as the inclusion of vessels greater than 35 feet in the rule. We acknowledge the potential implications to commercial and recreational vessels, particularly to users in Rhode Island Sound, Block Island Sound, and other coastal waters. However, Save The Bay believes the state of the NARW population negates the inconvenience to vessel traffic. The seasonality of the proposed Atlantic speed zone (November 1-May 30) also mitigates the effects during the busier summer season.

Save The Bay also supports the transition of Dynamic Speed Zones from voluntary to mandatory. Dynamic Speed Zones provide a flexible alternative to the further expansion of Seasonal Management Areas. However, given the critical importance of every NARW to the species' recovery, Save The Bay urges NOAA to modify the trigger requirement for Dynamic Speed Zone creation to one NARW, rather than the current standard of an aggregation of three NARWs. This would additionally serve to protect mother and calf pairs that are not covered under the proposed Dynamic Speed Zone scheme.

Finally, Save The Bay urges NOAA to work with partner agencies and stakeholders to develop an aggressive and effective education, monitoring, and enforcement program to support the Vessel Speed Rule.

Sincerely,

Jonathan Stone

Executive Director