

## **NORTHEAST IMPLEMENTATION TEAM MEETING – APRIL 5, 2005**

Marine Institute of Training and Graduate Studies, Linthicum, MD

### **MEETING NOTES**

The Northeast Implementation Team (NEIT) for the Recovery of the North Atlantic Right Whale met at the Maritime Institute of Technology and Graduate Studies (MITAGS) in Linthicum, Maryland on April 5, 2005. Co-Chairs Bruce Russell and Amy Knowlton opened the meeting promptly at 9:30 am. Co-Chair Russell welcomed everyone to the meeting, thanked MITAGS for hosting the meeting and noted meeting room and facility the logistics for everyone. Due to the number of people present (25 expected and 45 were present) questions to the presenters would be limited to two minutes. Everyone present at the meeting introduced him or herself and noted their affiliation. Attendance list and agenda are attached.

Kristen Koyama of NMFS Northeast Regional Office, Protected Resources Division and Team Liaison was the first presenter and discussed the NEIT's organizational issues, the purpose of the NEIT, its roles and responsibilities and NMFS expectations of the NEIT. The NEIT's background originates in the authority of the Endangered Species Act as a spin off of a Recovery Team. The NEIT is to advise NMFS on the implementation of the core elements of the Recovery Plan, specifically relating to ship strikes. The NEIT will support the NMFS Ship Strike Strategy. Examining the NEIT's Protocol the core of the NEIT is the Agency Coordinating Committee. (Protocols are attached.) Support of the Strategy is a natural role and a consistent approach. The historical role of the NEIT in helping to develop operational measures is not the best role for the team at this time as the Advanced Notice of Proposed Rulemaking is in a rulemaking process. The expectation is that the NEIT will not be a public forum for debate; recommendations will be taken at the discretion of NMFS. The first role for the NEIT will be to support the education and outreach focus of the Ship Strike Strategy. A lot of work is needed to expand the program.

10 presentations were made on projects either supported by the NEIT or with relevance to right whales and ship strikes. The Power Point presentations and reports associated with this work can be found on the NMFS ship strike website at: <http://www.nero.noaa.gov/shipstrike/>. Below is a status update of NEIT supported projects with feedback and recommendations pertaining to the given presentation where applicable.

### **NEIT FUNDED OR RECOMMENDED PROJECTS**

#### **Vessel Traffic Management Scenarios (Bruce Russell and Amy Knowlton)**

This project is an update and revision to our November 2003 analyses of how the ship strike reduction strategy will impact shipping, measured in net additional time to make a one-way trip through a right whale management area. The November 2003 report examined the impact on vessels to comply with proposed vessel operating restrictions calling at major ports. The update will examine 2003 and 2004 sightings data in particular for the Gulf of Maine, Cape Cod Bay and the Great South Channel and will incorporate feedback from pilots on three approaches: Block Island Sound, NT/NJ, and Chesapeake Bay. To accurately model how vessels would

comply with vessel operating restrictions of a dynamic management or seasonal management area, additional time for entering and departing, as necessary, must be considered. This would likely be a factor in vessels choosing to route around an area versus reducing speed to transit an area. (This report was submitted to NMFS 1 June).

#### Recommendations from meeting

- As whale sightings are made in the future, describe DMAs for evaluation purposes. Post it on ship strike website or another website.
- Compare forecasts of DMAs that would have been triggered with the retrospective analysis.
- If using same trigger criteria for fishing, look at how long aggregations exist.
- Review shipstrike locations in relation to the Ship Strike Strategy to determine potential effectiveness if it had been in place.

### **Economic Implications Of Possible Reductions In Boston Port Calls Due To Ship Strike Management Measures: Report produced for National Marine Fisheries Service and MASSPORT (Hauke Kite-Powell)**

We estimate the direct and indirect effects of commercial vessel port calls in the Port of Boston for the Massachusetts economy, using the US Maritime Administration's Port-Kit Model. The model results suggest that cruise ships using Boston as their home port, container ships, tankers, and dry bulkers each contribute around \$1 million per port call to the gross state product; and that these port calls support between 10 and 30 full-time-equivalent jobs per port call.

We use these results to estimate the economic implications for Massachusetts of hypothetical lost future port calls that may result from costs/delays imposed by right whale ship strike management measures. We consider four specific scenarios:

- **Scenario 1: MSC** eliminates Boston from its sailing schedule; a loss of 104 container ship calls per year. Estimated economic implications: loss of \$49 million in gross state product; loss of 920 full-time-equivalent jobs.
- **Scenario 2: COSCO** eliminates Boston from its sailing schedule; a loss of 52 container ship calls per year. Estimated economic implications: loss of \$24 million in gross state product; loss of 460 full-time-equivalent jobs.
- **Scenario 3: Norwegian Majesty** no longer homeports in Boston, a loss of 27 embark/disembark cruise ship calls per year. Estimated economic implications: loss of \$35 million in gross state product; loss of 783 full-time-equivalent jobs.
- **Scenario 4: Royal Caribbean Cruise Lines** eliminates its Boston port calls, a loss of 12 embark/disembark cruise ship calls and 15 port-of-call cruise ship calls per year. Estimated economic implications: loss of \$22 million in gross state product; loss of 453 full-time-equivalent jobs.

Ship operators' decisions about port calls are complex and involve a large number of considerations. Although we can assume that a greater probability of unscheduled delays due to ship strike management measures would increase the likelihood that carriers might eliminate

Boston port calls in the future, it is not possible to quantify this increase, or to say how likely the above scenarios are to occur, without significant additional analysis.

#### Recommendations from meeting

- Do follow-on analyses to see how cruise ship companies respond.
- How do container ships respond to delays. Commercial and economic review.
- By- product environmental impacts (emissions, fuel consumption).
- Additional work on possible changes in frequency of trips. Consider using route cycle time to bound data.
- Scenarios should be done for liquid bulk carriers
- Initiate stakeholder meetings with passenger vessel associations to assess likely response to restrictions.
- Initiate stakeholder meetings with ocean transportation companies, particularly the cruise industry and liner container services as to how major constraints in harbor access would affect their business strategies and plans.
- Find out what is needed to expand model to better assess the changes that companies will make

#### **Update of GIS Presentation of Survey Tracklines, Right Whale Sightings and Right Whale Movements: (Amy Knowlton)**

The goal of the original project, completed in 2001, was to display survey effort and right whale sightings on an annual basis and a cumulative monthly basis for each year from 1978 onwards. The area that was covered in this analysis is the Gulf of Maine. This visualization provides information about the level of survey effort over the years and patterns of right whale distribution on a monthly basis. This project is being updated with 2001-2003 (and some 2004) data. The amended project can be found at [http://www.marinegis.org/rwhale\\_gis.html](http://www.marinegis.org/rwhale_gis.html) and should be completed by early June [most of the updated maps are now posted on this site]. The recent maps will also include right whale sightings collected opportunistically.

#### **Mid Atlantic right whale movements modeling (Russell Leaper and Lex Hiby)**

An interim progress report on this project has been completed. The modeling efforts indicate that the migration time from the Southeast U.S. to New England waters takes on average 19 days with the whales traveling at an average speed of 1.8 knots. The findings also suggest that in years with moderate to high numbers of calves in the SEUS, the modal and median dates of departure occurs in the third week of February. When the number of calves is low, the departure time is earlier. The ability of this model to be used in predicting the annual departure time on a real-time basis was unfortunately not feasible. This is because the detection probability is too low on average and its range too wide to provide strong evidence that a whale has left until well after its last detection (approximately 30 days after). The authors also noted that the onset of the departure phase is rapid but its decline is slow, thus the start of a high-risk period at an intermediate latitude may be easier to predict than the end as migration is staggered.

#### **Recreational Vessel Outreach (Erin Heskett)**

On behalf of Erin Heskett of IFAW, Pat Gerrior explained that the distribution of the placards is ongoing and that additional distribution contacts/organizations were needed for the Mid

Atlantic and Southeast. The recreational vessel placards were displayed, and the supply of placards provided at the meeting was gone at the end of the meeting. Ed Welch from the Passenger Vessel Association commented that some of the vessels we were targeting such as small passenger vessels, whale watch, etc., do not consider themselves 'recreational' vehicles, but commercial. It was a good and relevant point. Pat Gerrior noted that she had made this point to NMFS previously and it should be so noted by NMFS as they move forward with the ANPR and outreach.

Following the meeting Mr. Welch sent a follow up email requesting placards; he intended to send placards to our eastern seaboard vessel operating members, in sufficient quantities that he can send each member a placard for each vessel he or she operates. He requested 100 Northeast placards, 100 Mid Atlantic placards, and 25 Southeast placards.

Following the meeting IFAW agreed to send out placards to the following:

- 1) Megan Broberg, Outreach Specialist, National Aquarium in Baltimore, 410 986-2377; email --mbroberg@aqua.org
- 2) CDR Andrew Beaver, NOAA Navigation Manager, NE Region, Office of Coast Survey, NMFS Narragansett Lab, 28 Tarzwell Dr, Narragansett, RI 02882-1199: 75 each NE and MA placards

#### **Outreach (small ports, other industry, including Coast Pilots update) (Bruce Russell)**

The outreach program in the Northeast was coordinated with Pat Gerrior, formerly of NMFS Northeast Region. We first conducted a complete update of the U.S. Coast Pilots, Volumes 1,2, 3 & 4. (We coordinated this with the Southeast NMFS region). The focus was to provide information on right whale occurrences throughout the eastern seaboard, based on all available sightings data. In turn we worked with the National Ocean Service who provided Coast Pilot extracts of all Coast Pilot entries. Working with the NMFS Southeast Region, we sent these extracts by letter to all pilots associations, regional and local shipping associations, harbor safety committees, port authorities and industry associations. The extracts are now also included in the Northeast Regions pilots boarding packages. We specifically targeted the cruise ship industry, the Ports of Hampton Roads and the Port of Baltimore with follow up calls and / or visits. A significant outcome was the appointment of Heather Wood, Virginia Ports Authority as a NEIT member. This effort dovetailed well and supported the successful stakeholder meetings NMFS conducted in support of the ANPR.

Ed Welch, Passenger Vessel Association offered to provide a list and contacts of all the small passenger vessel operator associations.

#### **Merchant Mariner Education (Bill McWeeny & Bruce Russell)**

The merchant mariner education module has been completed and submitted to NMFS. The module consists of two Power Point presentations with instructor notes, a detailed instructor manual, a suite of test questions, and a variety of references. Kathy Metcalf, American Chamber of Shipping, Captain Larry Palmer, Northeast Pilots Association, and Pat Gerrior,

formerly of NMFS, reviewed the module content and provided written comments. Several other reviewers provided verbal feedback. Most comments were integrated into the final module version. The module was also taught in two classes at Maine Maritime Academy and the students were asked to fill out a survey. The general consensus of the reviewers and the students is that this information is welcome and much needed. An interesting comment was offered by Kathy Metcalfe, Chamber of Shipping of America and Captain Andrew McGovern, chairman of the Coast Guard's Merchant Marine Personnel Advisory Committee (MERPAC). Both suggested that the voyage planning module could serve as the basis for a "module of modules" to address not North Atlantic right whales but also other living marine resources (for example, ballast water, coral reefs, other marine mammals and protected resources, marine protected areas). Both advised that such a comprehensive voyage-planning module is needed and might be better received.

A series of recommended next steps were provided in the two reports to NMFS about the module and are listed below:

- Protocols for updating and disseminating the training Modules as new regulatory requirements are promulgated should be developed.
- Review the Modules' contents on an annual basis and/or whenever rule changes occur to ensure that they are up-to-date.
- Develop an email list for all recipients of the physical binder or those who download the Modules off the website so that they can be notified as soon as a Module update has been made. These people can also serve as a survey group for evaluation efforts.
- Initiate contact with U.S. and International Training schools to make them aware of the Modules. A list of institutions has been provided.
- Provide the printed Instructor's Manual and CD to a *specific instructor* at each of the identified schools.
- Develop a plan for staff development at each of the identified schools to ensure that instructors receive the necessary support for implementing the Curriculum and clearly understand the contents of the Modules.
- Place articles and advertisements in Maritime trade magazines on an annual basis that describes current educational efforts and updates made to the Curriculum.
- Provide information to mariners on a regular basis about the status of the right whale population, recent births, details about recent mortalities, especially those related to ship strikes, and any other related information about right whales (and other whales) and ship strikes. This has been done very successfully with the ship strike website and could also be published in Maritime trade magazines. Identify national and international maritime education conferences and present the Curriculum Package at such conferences.
- Elements of the course module have been extracted and structured so this information can be incorporated into the International Chamber of Shipping "Bridge Manual."
- Elements of the module have been extracted so this information can be incorporated into guidance as the basis for shipboard right whale ship strike reduction policy and procedures required under the umbrella of the International Safety Management (ISM) Code.

## Education and Outreach Recommendations from meeting

- Draft 2 page circular for IMO: SMS/ISM Code guidance (draft is complete)
- Circulate 2 page guidance on RW avoidance/compliance (regs) for Industry Association Bridge Manuals
- Include CG MSR letter into outreach packages
- Develop outreach and education program for small passenger vessels: materials, message, target audience
- Develop 5 year education and outreach strategy
- Take Coast Pilot ... ID areas on Nav charts
- Improve and implement merchant mariner courses for foreign mariners.
- Send presenters to international maritime conventions

## **NON NEIT FUNDED PROJECTS**

### **Right Whale education program (Jonathan Turvey - Holland America Line)**

Holland America Line is affiliated with Carnival Cruise Lines and operates 12 cruise ships around the world. A computer-based training program is being developed to educate cruise ship operators about whales and the need to be vigilant in whale habitats where the ships operate. Part of this training program will include information about right whales and ship strikes. The computer-based training system will allow for interactive graphics, real time training, assessments and feedback. It can also be easily updated. Holland America is working with NMFS to review the information provided in the training.

### **Analysis of risk to right whales in Cape Cod Bay (Owen Nichols -Center for Coastal Studies)**

Owen Nichols presented the results of a simple two-dimensional model of ship encounter risk for right whales in Cape Cod Bay. The model was constructed to estimate the expected number of ship-whale encounters based on right whale density estimates from systematic aerial surveys and ship traffic data provided by the US Army Corps of Engineers (USACE) for vessels transiting the Cape Cod Canal. The estimated level of potential ship-whale encounters was discussed, along with the reduction in the number of encounters that would occur if traffic was rerouted around areas of high whale density.

### **A proposal to move the Boston Approach shipping lanes (Dave Wiley - Stellwagen Bank National Marine Sanctuary; presented by Mason Weinrich, Whale Center of New England)**

Mason Weinrich presented an analysis conducted by the Stellwagen Bank National Marine Sanctuary (SBNMS) dealing with the conservation benefit of shifting the present Traffic Separation Scheme (TSS) that passes through the sanctuary. A key mitigation measure to reduce interactions between right and other whales and commercial shipping is to separate them temporally and/or spatially. Reconfiguring the current TSS where it passes through the SBNMS by rotating it ~7° north would result in a substantial conservation benefit to right and other baleen whales by moving ships through parts of the sanctuary with fewer whales. Right

whale sighting data gathered from a variety of sources through 2002 (e.g., commercial whale watching vessels, NMFS surveys, Right Whale Consortium data, SBNMS surveys) recorded 874 observations of right whales within the current TSS compared to only 268 in the area encompassed by the reconfigured TSS. This 60% reduction in right whale sightings could result in a corresponding reduction in the potential for interaction with shipping.

Similar conservation benefits would be achieved for all endangered and protected species of baleen whales. Whale watching vessels recorded 57,079 observations of baleen whales (humpback = 39,760; right = 449; fin = 8,558; minke = 8,312) within the current TSS (1979-2002) and only 17,938 observations (humpback 12,645; right = 74; Fin = 2,813; minke = 2406) within the reconfigured TSS. The 69% reduction in baleen whales sightings within the reconfigured TSS could result in a corresponding reduction in the potential for interaction with shipping.

A problem with data derived from whale watching platforms is that it is not corrected for effort biases, nor can it be corrected for effort bias. However, systematic, standardized surveys of the sanctuary conducted during 1994/95 and 2001/02 (which are not effort biased) showed whale density patterns similar to those calculated from the more extensive whale watch database and that the reconfigured TSS passes through areas of lesser whale density.

The sanctuary also looked for ecological correlates that might support the difference in whale sightings between the current and reconfigured TSS. With the exception of right whales, sand lance fish are the key forage species for baleen whales residing in the SBNMS. These fish prefer sandy substrate as habitat and whales foraging on them can also be expected to be concentrated in areas of sandy bottom. High quality sediment mapping of the sanctuary provided by the US Geological Service demonstrates that 48% of the current TSS contains sand habitat, while the reconfigured TSS contains only 18% sand habitat. Thus, there is an ecological basis for the observed reduction in whale sightings and the reduction in potential interaction between whales and shipping.

#### Impact on Commercial Shipping and other Human Activity

The use of the reconfigured TSS instead of the current TSS would have minor impact on vessels transiting the sanctuary. For a vessel using the TSS to travel to or from points south, the reconfigured TSS would add ~ 2.58 nm to the trip. For a vessel traveling at 10 knts ~16 minutes would be added to transit time and for a vessel traveling 25 knts ~6 minutes would be added to the transit time. Data collected from standardized surveys of the sanctuary also indicated that the reconfigured TSS would pass through areas with fewer commercial otter trawl fishing vessels. No difference in fixed gear fisheries was identified.

#### **Analysis of Propeller Cuts on Right Whales (James Wood - Lumatrex)**

New evaluation methods now allow us to use photographs of propeller cuts on marine mammal carcasses as well as on living animals to determine many of the physical and operational characteristics of the propeller and vessel that created the cuts. Examples of evaluations conducted using photographs of right whale carcasses and living individuals were used to provide an

overview of the information that can be ascertained using these new methods. The current status of this line of research and future plans were also discussed.

## **OTHER BUSINESS**

### Right whale budget

Greg Silber, large whale coordinator from NMFS, Office of Protected Resources, Headquarters, provided a summary of the North Atlantic Right Whale Recovery Program budget. The budget for FY 2005 was \$12.5 million – ship strike work received ¼ of the total budget which was used to fund: aerial surveys, mandatory ship reporting systems, ship strike strategy implementation (including the DEIS), and other work (analyses, listening devices, NEIT/SEIT support). The rest of the funds were used to support entanglement reduction efforts, state programs, biology and population monitoring, right whale grants program, administration, travel, and general recovery efforts.

The FY 2006 President request was only \$5.9 million. In the past, Congress has resisted efforts to cut the right whale budget but it is not yet clear how the budget will fare for FY 2006.

Responding to a question from Don O'hare, World Shipping Council, NMFS advised that NMFS has contacted the David Taylor labs In Carderock MD to initiate a hydrodynamic study.

### ANPR and Ship Strike Strategy status

Silber reviewed the status of the ANPR and the Ship Strike Strategy. Industry and NGO/science stakeholder meetings were held during the summer/fall of 2004 and have recently been posted to <http://www.nero.noaa.gov/shipstrike/> . During the public scoping meetings and the stakeholder meetings, comments were received on the Strategy and are being considered in the preparation of a DEIS (being prepared by EarthTech). A proposed rule is expected by late summer or early fall.

A Port Access Route Study (PARS) of the southeast U.S. and waters off of Cape Cod is underway by the USCG (see below).

Emergency rulemaking to implement some parts of the strategy is being discussed within NMFS but it is not clear that they will be seriously considered. The Marine Mammal Commission made a formal recommendation to impose emergency regulations on January 20, 2005. [On May 20<sup>th</sup>, 2005, nine environmental groups submitted a petition to the Department of Commerce and NMFS requesting that NMFS immediately implement emergency rules to require speed restrictions and routing measures as defined in the ANPR.]

### Recovery Plan status

The Recovery Plan for the North Atlantic Right Whale (*Eubalaena glacialis*) has been finalized since the NEIT meeting and is now available to the public at: <http://www.nmfs.noaa.gov/pr/recovery/>



### **Port Access Route Study (George Detweiler – USCG, Waterways Management)**

The Ports and Waterways Safety Act requires that there be safe access to ports. This can be accomplished using fairways, traffic separation schemes, recommended routes, anchorages, and other routing measures. In 1979, the first studies of port access for all ports were conducted. Some of these ports have been restudied. The Coast Guard has been tasked by Congress to conduct two PARS for right whales – one along the southeast U.S. calving grounds and the other in the waters of Cape Cod Bay and Great South Channel. The notice of the study was published in the Federal Register on February 18, 2005 and the comment period closed on April 19, 2005. The Coast Guard will review the comments, review studies on right whale distribution, analyze vessel traffic activities, and confer with NMFS. A draft report for internal review will be prepared by September 2005 and a final report will be sent to Congress in January 2006. The PARS will consider new routing measures or validate existing measures. If routing measures are to be changed, this will be done either through domestic rulemaking or via the IMO or both. The PARS is being conducted by Coast Guard Headquarters.

### **Right Whale Mortalities – 2004/2005 (Amy Knowlton)**

A total of seven mortalities have been documented between February 2004 and March 2005 [an 8<sup>th</sup> mortality was documented in April 2005]. The mortalities occurred from Florida to Massachusetts. Four mortalities occurred in 2004 and four in 2005 and included 6 reproductively active females (including 3 fetuses), 1 live stranded male calf, and 1 animal of undetermined sex and age. Four of the deaths were the result of ship strike, one from entanglement, one of natural causes, and two of undetermined cause. Since 1970, a total of 67 [reported as 65 at meeting – one death since and one mistakenly left out of that tally] right whale deaths have been documented – 24 ship strikes, 6 entanglement, 20 of undetermined cause, and 17 neonates.

### **Navy Protective Measures (Tom Fetherston)**

A review of Navy measures aimed at reducing the risk of ship strikes by Navy ships was provided. These regional measures include for the southeast U.S. critical habitat, right angle transits through critical habitat, speed restrictions within 5 miles of a right whale sighting, and two trained lookouts. The Navy also provides partial support of the aerial survey program and disseminates right whale sightings to all mariners via a pager system using FACSFACJAX as the communications center. In the northeast region, the Navy uses slow safe speed if a whale is seen and requires lookouts when transiting critical habitats.

After the Navy strike of a right whale in November 2004 off of Norfolk, the CINCLANTFLT sent a directive to the Atlantic fleet requiring Navy ships to use slow safe speed within 20 nm of port entrances in the mid Atlantic during the timeframes outlined in the ANPR. Lookouts are also required within 20 nm of mid Atlantic ports.

### **NEXT STEPS**

The remaining meeting time was spent discussing next steps for the NEIT. At the previous NEIT meeting, held in the spring of 2004, the NEIT decided to develop a steering committee comprised of the co-chairs (Knowlton and Russell), a Coast Guard liason (Katie Moore) and a NMFS liason (formerly Pat Gerrior, now Kristen Koyama). Based on pre-meeting discussions

with the NEIT steering committee, the NEIT co-chairs felt that the team needed to be refocused and assigned specific tasks before scheduling any future NEIT meetings. It was decided that to help guide this process, the steering committee should be expanded to include an NGO representative and a shipping representative. Nominations were requested and a vote by show of hands was taken. Mason Weinrich, Whale Center of New England, and Don O'Hare, World Shipping Council, were elected to the Steering Committee. This committee will focus initially on reviewing an education and outreach strategy for NMFS and will keep the full team apprised of their activities, the status of the rulemaking process, and the next steps for the NEIT.

**Note from NEIT co-chair Amy Knowlton**

And last, but certainly not least, Bruce Russell, co-chair of the NEIT/Ship Strike Committee since 1998, announced that he was resigning as co-chair at the end of the meeting in order to pursue other interests. Bruce has played a critical role in his years as co-chair to move the process of developing a Ship Strike Strategy forward. His in-depth knowledge of the maritime industry and the regulatory process combined with his interest in protecting right whales has been invaluable. Without his involvement and dedication, the Ship Strike Strategy would likely not exist. I can personally say that I have learned a tremendous amount from Bruce over the years and it is my hope that when the Strategy is finally implemented, that we remember that Bruce was one of the main motivating forces behind it. Thank you Bruce!

**May2004**

**Northeast Implementation Team (NEIT) Protocols**

**Northeast Implementation Team (NEIT):** The Northeast Implementation Team (NEIT ) shall function as a continuation of the former Northeast Large Whale Recovery Plan Implementation Team's Ship Strike Committee. The NEIT's focus will be on North Atlantic right whale ship strike reduction and support of the National NOAA Ship Strike Strategy Working Group. The NEIT shall from time to time receive guidance and direction from the National Marine Fisheries Service (NOAA Fisheries) in support of NOAA Fisheries' National Ship Strike Strategy. The NEIT may also initiate projects and seek funding from various sources.

The NEIT will be a streamlined team that will report directly to NOAA Fisheries. The initial NEIT co - chairs will be the current co - chairs from the former Ship Strike Committee (SSC). The NEIT co - chairs will serve in this lead NEIT role at the discretion and pleasure of the Northeast Regional Administrator and will work with other federal and state agency input via an **Agency Coordinating Committee (ACC)**.

The NEIT membership will consist of the NEIT co - chairs (specified above) and the members of the Agency Coordinating Committee (specified below). The NEIT will not operate as a consensus seeking body, but will consider and include all written comments provided on it's work. At the discretion of the NEIT co - chairs, a vote may be taken by NEIT members on some issues.

**NEIT Steering Committee:** The NEIT co - chairs, the Agency Coordinating Committee co - chairs ( NOAA Fisheries and Coast Guard) and the Secretary will function as the **NEIT Steering Committee**. The NEIT Steering Committee will advise NOAA Fisheries on right whale ship strike reduction matters.

**Agency Coordinating Committee:** The Agency Coordinating Committee shall be made up of the following federal and state agencies. Participating agencies on the ACC will be updated on NEIT issues and activities by their representative and shall provide support for the NEIT, as reasonable. Additional ACC representation will be at the discretion of the NEIT Steering Committee.

Agency Coordinating Committee members:

NMFS (NOAA Fisheries) co-chair

US Coast Guard co - chair

US Navy

US Army Corps of Engineers

Port Authorities (Massport & the North Atlantic Port Authorities (NAPA) representative)

National Ocean Service, NOAA

Commonwealth of MA

Marine Mammal Commission

Stellwagen Bank National Marine Sanctuary

Maritime Administration (MARAD)

Military Sealift Command?

Any agency with a fleet (Army, EPA)

Other state agencies

All ACC members will designate an alternate to represent their agency.

**Secretary:** A Secretary will be appointed by the co - chairs and the ACC from the Agency Coordinating Committee membership to document proceedings from meetings and recommendations made to NOAA Fisheries. Meeting summaries shall be reviewed by the Steering Committee and when approved, posted to an appropriate web site. The web site shall be the official clearinghouse of NEIT information.

**Non Governmental Organizations, Scientists, Researchers and Shipping Interests:** Non Governmental Organizations, scientists, researchers, and shipping interests may be involved in the NEIT in one or more capacities.

**Advisor:** an interested party who is not a co - chair of the NEIT or on the Agency Coordinating Committee who provides input and recommendations to the NEIT Steering Committee. Advisors will meet at the request of the co - chairs and serve as working group members to develop and guide NEIT projects and activities. Any individual or organization desiring to be appointed as an advisor should make their intentions known at a NEIT meeting, in writing or in person. Advisors will be appointed by the NEIT Steering Committee and noted in the meeting summaries. Appointment is pro - forma. Advisors will normally attend all full NEIT and working group meetings, as possible. The NEIT will maintain an updated list of advisors annually. However, from time to time the NEIT Steering Committee may meet with regional participants and stakeholders. It may not be practicable for advisors to attend such meetings; meeting summaries shall be provided to the full NEIT.

**Participant:** an interested party who attends the NEIT and working group meetings.

**Budget:** NOAA Fisheries will provide funding annually to the NEIT, primarily for identified projects that support right whale recovery goals (ship strike related). The level of this funding may vary each fiscal year. The funding may also be utilized for limited travel and support of the NEIT co-chairs and Secretary, as appropriate. Projects will be competitively awarded through the most cost effective and efficient process as determined by NOAA Fisheries.

**Project Committee :** The NEIT may from time to time establish ad hoc project committees to focus on particular issues. Project committees shall report on their activities to the NEIT. A Project Committee chair will be appointed by the NEIT Steering Committee who will be responsible for reporting back to the full NEIT.

**Meetings -** meetings of the full NEIT will be scheduled 2 - 3 times per year at the discretion of the NEIT Steering Committee. A combined meeting with the Southeast Implementation Team (SEIT) will be scheduled one time per year and held in the mid - Atlantic to facilitate discussions with shipping interests and others in the mid - Atlantic.

## **NEIT RESPONSIBILITIES**

The NEIT is responsible for the following:

1. In collaboration with NOAA Fisheries and on an annual basis, identify priority tasks with

measurable goals that could be undertaken by NEIT co - chairs, agencies, advisors, participants, individuals, and other organizations. The tasks must be related to North Atlantic right whale recovery goals (ship strike related).

2. In collaboration with NOAA Fisheries and on an annual basis, develop a work statement and time line to address the priorities identified in item 1 above that can be undertaken by NEIT co - chairs, agencies, advisors, participants, individuals, and other organizations.

3. In collaboration with NOAA Fisheries and on an annual basis, develop an appropriate annual budget for addressing the critical needs of the NEIT as developed in items 1 and 2 above. Budget considerations should be considered on an annual basis and may include project funding, travel, possible meeting facilities, administrative support, etc.

4. On an annual basis identify tasks in conjunction with item 2 above that can be undertaken by NOAA Fisheries and other federal and state agencies.

5. Monitor regulations implementing ship strike mitigation measures, as enacted from the Ship Strike Strategy, to ensure the management measures adequately address the North Atlantic Right Whale Recovery Plan objectives.

6. Provide comment, as appropriate, to other agencies, associations, or organizations concerning the impact associated with respective projects/actions on the North Atlantic right whale recovery. Projects/actions commented on by NEIT must be thoroughly investigated. Any comments submitted on a project/action must be discussed by the full NEIT.

7. Produce draft and final meeting summaries of all NEIT meetings. The draft summary must be circulated to the NEIT for review prior to final submission to NOAA Fisheries. The final meeting summary must be submitted to NOAA Fisheries within 30 days following the NEIT meeting and must identify tasks undertaken, progress made since the previous meeting, and any formal recommendations to NOAA Fisheries. NEIT meeting summaries shall be posted on the web with the assistance of NOAA Fisheries.

8. Produce an annual report highlighting the NEIT's projects and results for the year. The report should also include potential tasks identified for the upcoming year, including recommendations for research. NEIT annual reports shall be posted on the web with the assistance of NOAA Fisheries.

**ANNOUNCEMENT FOR A MEETING OF THE NORTHEAST IMPLEMENTATION  
TEAM (NEIT) FOR THE RECOVERY OF THE  
NORTH ATLANTIC RIGHT WHALE**

**Date and Time:** April 5, 2005 from 9:30 AM to 4:00 PM

**Location:** Maritime Institute for Technical and Graduate Studies (MITAGS), 692 Maritime Boulevard, Building 2 (parking lots C or D), Linthicum, Maryland.

*MITAGS is located minutes from the BWI Airport. MITAGS also has lodging and a nice dining room for those wishing to stay overnight. Cost \$119.00 per night, which includes dinner and breakfast. Reservations: 410 859 5700.*

**PLEASE RSVP:** Kristen Koyama, NMFS Liaison, (978) 281-9300 x6531 or Kristen.Koyama@Noaa.Gov

Bruce Russell, NEIT co-chair, 301 656 1751 or barussell@verizon.net

**Purpose:** The meeting will be the first meeting under the new protocols and with the new and expanded agency membership. Important topics of the meeting include:

- Reports on ongoing NEIT projects,
- a review of outstanding recommendations for action to the National Marine Fisheries Service,
- FY 2005 right whale ship strike project funding
- the status of the Ship Strike Reduction Strategy (environmental and economic assessments, studies and rulemakings)
- the Recovery Plan, and
- Expansion of NEIT membership

*Please contact Bruce Russell if you have comments on the draft agenda (e.g., you would like to see something added to the agenda).*

**Draft Agenda for 5 April 2004 Northeast Implementation Team (NEIT) Meeting**

9:30-9:45 Introductions

9:45-10:00 Organizational Issues

Purpose of NEIT

Roles and Responsibilities

10:00-11:15 Status of NEIT Projects

- Merchant Mariner Education (Amy Knowlton and Bruce Russell)
- Outreach (small ports, other industry, including Coast Pilots update) (Bruce Russell)
- Economic Aspects of Right Whale Ship Management Measures update (Hauke Kite-Powell)
- Economic Analysis of the Port of Boston (MARAD Port Kit Model) (Brad Wellock and Hauke Kite-Powell)
  
- Vessel Traffic Management Scenarios (Bruce Russell and Amy Knowlton)
- Recreational Vessel Outreach (Erin Heskett)
- Update of GIS Presentation of Survey Tracklines, Right Whale Sightings and Right Whale Movements: (Amy Knowlton)
- Mid Atlantic right whale movements modeling (Erin Heskett)

11:15-11:30 Review of outstanding recommendations to NEIT from 8 March 2004 Ship Strike Committee meeting

11:30-12:00 NEIT recommendations / endorsement of projects; next steps

12:00-12:30 Other ship strike related research

R&D, studies

12:30-1:00 FY 2005 project funding (David Gouveia and Greg Silber)

1:00-2:00 Lunch

2:00-2:10 Report on Stakeholder meetings (Greg Silber)

2:10-2:25 Ship Strike Strategy update (Greg Silber)

2:25-2:35 Recovery plan status and next steps (Greg Silber)

2:35-2:45 Report on recent mortalities (Amy Knowlton)

2:45-3:00 Navy Policy (Tom Fetherston)

3:00-4:00 NEIT membership

Scientists and technical experts

Shipping interests

Conservationists

Adjourn

## 5 April 2005 Northeast Implementation Team Meeting attendees

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