WHY CONGRESS MUST PASS THE BIPARTISAN “SAVE RIGHT WHALES ACT” (H.R. 1568)

Without action, the North Atlantic right whale may be effectively extinct within our lifetime

The North Atlantic right whale is an iconic species that connects all Americans living along the East Coast of the United States and makes critical contributions to the marine ecosystems that support our communities. Each year, North Atlantic right whales travel through the waters of every one of our Atlantic coastal states, following their migratory path between calving areas off Georgia and Florida and cool productive feeding areas off Rhode Island, Massachusetts, Maine, and up into eastern Canada.

Current status

Fewer than 420 North Atlantic right whales remain on Earth, and of those fewer than 100i are reproductively active females. Twenty animals were found dead in the last two years alone, many from entanglement in commercial fishing gear and vessel collisions, nearly twice as manyii as the last five years combined. The National Oceanic and Atmospheric Administration (NOAA) declared an Unusual Mortality Eventiii in August 2017. These numbers likely significantly underestimate the true number of losses, as many dead whales are lost at sea and never found. Following a season with no new calves, the seven new calves found in the 2018-2019 season offer an emblem of hope for the species; however, the number of calves is not currently high enough to offset the number of deaths and enable the species to recover.

Without action, the North Atlantic right whale may be effectively extinct, with no breeding females remaining, within only a few decadesiv. The need for action to protect right whales is extremely urgent.

Leading threats

Entanglement in fishing gear is the most frequent cause of death for North Atlantic right whales, causing 85 percentv of diagnosable deaths from 2010 to 2015. 85% of North Atlantic right whales also bear scars from being entangled in gear once in their lives, and over half bear scars of being entangled two or more times.vi Entanglements not only cause deaths, but significantly impair the whales’ ability to produce calves. Ship collisions are the North Atlantic right whale’s second major cause of death.

This chart illustrates overall population trends as well as the likelihood of entanglement and ship strikes:
Entanglement impacts on right whales

Upon becoming entangled, whales may drown almost immediately if they are unable to reach the surface to breathe. Those still able to swim suffer serious injuries and infections as the ropes cut deeply into their skin and mouths over time. Others slowly starve to death due to the additional energy expenditure needed to drag heavy fishing gear around. Fatally entangled whales take an average of six months to die. Veterinarians and scientists describe entanglement as a serious animal welfare concern, in addition to the leading threat to the population.

Even if they escape the gear, the stress of being entangled can have long-term health impacts and prevent females from having calves for years afterwards. Indeed, science shows that females are being more negatively affected than males. Fewer than 100 breeding females remain\(^{iv}\), and their life expectancy has been vastly reduced from 70 years or more to only 30-40 years. On average, females produced a calf every three years in the 1980s, but are now only giving birth approximately once per decade.\(^{vii}\) No new calves were observed in the 2017-2018 season and only seven new calves have been observed so far during the 2018-2019 season. For long-lived, slow-to-reproduce animals, such trends can have devastating consequences for population decline.

Ship collision impacts on right whales

Collisions with ships cause death or serious injuries to whales, including bleeding, blunt-force trauma, propeller cuts, and broken bones. Any size vessel traveling above a speed of 10 knots has a heightened probability of causing serious injury or mortality if it collides with a whale. North Atlantic right whales’ behavior makes them particularly vulnerable to vessel collision, as they lack a dorsal fin and swim just beneath the water’s surface, making them almost invisible to ship captains and lookouts.

Tremendous gains have been made in preventing ship strikes. In the U.S., these successes include the 2008 Final Rule to Implement Speed Restrictions to Reduce the Threat of Ship Collisions with North Atlantic Right Whales, the Seasonal Management Area and Dynamic Management Area regimes established by this rule, speed monitoring and mapping capacities, and improved alert systems. However, large whale vessel strike mortalities are still a significant concern both inside and outside management areas. Research is urgently needed to develop detection and avoidance measures to help prevent right whale collisions with vessels.

What Congress can do to help save the species

We are at a pivotal point in the history of the North Atlantic right whale. If we take strong, immediate action, we can reasonably expect this population to survive and rebound. If we fail to act, unprecedented threats may push the species towards effective extinction within two decades. To support strong future management and recovery of North Atlantic right whales, we respectfully urge members of Congress to:

- **Co-sponsor the SAVE Right Whales Act (H.R. 1568).** This bipartisan legislation would provide a vital, sustained source of federal funding for research to develop, test, or use innovative technologies and other strategies to reduce entanglements and vessel collisions, and is supported by industry leaders such as the Massachusetts Lobstermen’s Association.
- **Support FY20 appropriations language increasing funding for right whale conservation.**