

**North Atlantic Right Whale Recovery Plan
Northeast US Implementation Team
November 18-19, 2020**

Via Webinar

KEY OUTCOMES MEMORANDUM

I. Overview

The North Atlantic Right Whale Recovery Plan Northeast U.S. Implementation Team (NEIT) conducted a two-day webinar on November 18 and 19, 2020. The agenda is attached, and the NEIT deliberations focused on the following primary objectives:

- Share updates on right whale status and recovery
- Share updates on status of NEIT Working Groups
- Discuss public involvement feedback and determine process forward
- Endorse the NEIT Draft Terms of Reference
- Identify Shovel-ready Ideas for GARFO

This Key Outcomes Memorandum summarizes the primary results of the NEIT deliberations from the discussions noted above. In general, the synthesis integrates the main themes discussed at the meeting and are presented in five main sections: Overview, Participants, Meeting Materials, Key Outcomes, and Next Steps. The Key Outcomes section is further segmented into the following sections:

- Welcome and Meeting Kick Off. This section provides a brief overview of the meeting purpose and agenda review.
- NEIT Business. This section includes the NEIT process and meeting planning.
- Focused NEIT discussions. This section includes focused discussions, including any resulting in consensus actions and/or recommendations.
- Consensus Actions. This section summarizes any consensus actions to be taken by the Team.
- Consensus Recommendations. This section summarizes any consensus recommendations of the Team.
- Other. This section summarizes other topics discussed during the meeting as applicable.

II. Participants

The NEIT meeting was attended by all 13 Team Members: Katie Moore (Team Lead), Bob Glenn, Erin Summers, Mark Baumgartner, Danielle Cholewiak, William McLellan, Roxanne Gillett, Cindy Driscoll (except for later portion of Day 2), Desray Reeb, Joel Bell, Dave Wiley, Lynn Alberta and Meghan Rickard.

Diane Borggaard (NEIT Liaison), David Morin, Sean Hayes, Colleen Coogan, Caroline Good, Richard Pace (PET Subgroup Lead), Dan Linden, Barb Zoodsma and Peter Kelliher represented NOAA Fisheries (NMFS). Except for the NEIT Liaison, NMFS staff attended specific portions of the webinar to give presentations to the team and/or answer questions. Leslie Ward (SEIT Chair) was also in attendance. Meredith Moise (Integrated Statistics, Inc. in support of NMFS GARFO) attended to capture notes and key discussions.

The Key Outcomes Memorandum was distributed to the entire Team for feedback.

III. Meeting Materials

The following materials were provided to NEIT members via email prior to or at the meeting:

- Draft meeting agenda
- Draft Off Race Point Seasonal Management Area Recommendation
- NEIT Google Folder
- NEIT DIVER Portal
- Updated Draft Terms of Reference
- Shovel-Ready Ideas for GARFO Document
- Public Involvement Brainstorming Document
- *Calanus* Modeling Proposal

IV. Key Outcomes

Below is a summary of the main topics and items discussed during the two-day webinar. This summary is not intended to be a meeting transcript and is not necessarily in chronological order of discussions. Rather, it provides an overview of the main topics covered, the primary points and options raised in the discussions, and areas of full or emerging consensus.

A. Welcome and Introductions

The webinar began with a brief review of the purpose and draft agenda, as well as introductions. After introductions, the NEIT were provided opportunities to provide input to the agenda. With no changes made to the agenda by the team, it was then noted that all team members accepted the invitation from Michael Pentony, GARFO's Regional Administrator, to serve as an NEIT member for another two-year term.

B. NEIT Business

D. Borggaard noted that NMFS had made progress on many of the next steps identified by the NEIT (e.g., provided answers to NEIT questions on aquaculture in the region). NMFS also provided various updates to keep the NEIT informed of activities the Team expressed

interest in. This included updates on efforts underway related to impacts such as entanglements and ship strikes, as well as international collaboration (e.g., see NMFS' update at [North Atlantic Right Whale Consortium's 2020 meeting and report card](#) related to these topics). Diane also noted that many NMFS staff contributed to the updates and NMFS would continue to keep the NEIT informed of various efforts underway (e.g., North Atlantic Right Whale Health Assessment Workshop Report, NMFS Vessel Speed Rule Report, ALWTRT efforts, etc.). For example, she provided a status update to the team from Mendy Garron working on the GARFO Draft Emergency Response Plan for Right Whales which welcomes NEIT input as the plan progresses. Diane also reminded the team that continued NEIT discussions of shovel-ready priority projects is important. For example, approximately \$75K is available for a priority right whale project, and NMFS GARFO is looking to the NEIT to make a recommendation on how to make best use of that. Peter Kelliher presented the work he is involved with on vessel strike outreach, which includes efforts such as shipping industry engagement, GARFO Right Whale Slow Zones, and partnerships with other organizations. A few members asked for clarification on the difference between DMAs and Right Whale Slow Zones (e.g., applicable vessel size, triggers, affected area, etc.). One member suggested to Peter that Amy Knowlton at the New England Aquarium would be a great contact for information on engaging with the Maritime Academy for outreach purposes.

The NEFSC also provided various updates, although field work continues to be impacted by COVID-19, including aerial surveys and vessel-based monitoring. These updates included right whale population status, passive-acoustic monitoring expansion, and other research projects (e.g., NARW mother/calf photogrammetry and behavior, resight rates of whales in the Gulf of St. Lawrence in the last five years, detecting whales using satellite imagery, zooplankton monitoring workshop). In response to NEIT members' interest in population status talking points, Diane said that the talking points previously provided to the NEIT could be updated.

In addition to the NMFS update on the current status of the NARW, W. McLellan provided a more-detailed update on right whale mortalities through 2020. M. Baumgartner provided updates from the recent NARW Consortium Annual Meeting, which was held virtually this year. He also gave a presentation to the team about an initiative he is currently involved with on the west coast called Whale Safe, which includes voluntary vessel speed reduction zones utilized to reduce the impact of ship strikes to whales. This type of voluntary speed reduction is similar to Dynamic Management Areas (DMAs) used on the east coast when right whales are detected.

A number of team members provided detailed updates per the draft agenda. DFO and TC provided updates to the team on the various activities occurring in Canada centered on

right whale conservation. However, similar to NMFS, COVID-19 continues to impact various efforts. R. Gillett noted right whale visual surveillance efforts, updating the NARW Imagery catalog with 2020 images, and 2020 fishery management measures. L. Alberta provided TC updates, which included 2020 Vessel Management Measures, as well as ongoing monitoring and surveillance effort. Per the draft agenda, and based on time limitations for this meeting, other team members were asked to share significant updates only. This included updates such as Maine DMF work with fisheries weak connection type development, conservation efforts of the MADMF trap/pot fishery, and U.S. Navy and WHOI autoreporting buoy deployment now off the coast of North Carolina.

NEIT business also consisted of working to finalize the Draft Terms of Reference. Due to time constraints and focusing discussion on other topics, Diane and Katie requested that the team review the updated draft within the next two weeks and let them know of any questions or to convey any concerns. If the team reaches consensus, GARFO will begin the finalization process. The NEIT also talked about options for the next full meeting (e.g., end of April or May) and meeting length (e.g., two full days or three 1/2 day meetings) given some of the agenda items at this meeting were short on time, etc.

C. Focused Discussions

Work Group Updates

K. Moore led the NEIT through the agenda, including the portion of the webinar centered around the working groups. This included providing updates and next steps to the rest of the team regarding the working groups that were established at previous meetings.

Off Race Point SMA Working Group

M. Baumgartner started off with the off Race-Point SMA working group being ready to submit a formal recommendation to NMFS, if the rest of the team was in agreement. By consensus the NEIT was in support of moving this forward immediately and sending to GARFO as a formal recommendation.

Monitoring Working Group

The next working group discussed was the formation of a monitoring working group. After interest was solicited from the team (W. Mclellan, J. Bell, M. Baumgartner, M. Rickard, E. Summers, R. Gillett, C. Driscoll, D. Reeb, B. Glenn, and D. Cholewiak), it was discussed that more clarity on what the team wants the monitoring work group to accomplish would be helpful and it was flagged as a future webinar topic. However, a January working group conference call/webinar to discuss early aspects would help inform these discussions whereby a Working Group Lead may arise. S. Hayes and D. Cholewiak also noted that this is a good time for these discussions based on the recent release on the NMFS Monitoring

and Surveillance Workshop Report, and the NEFSC welcomes input from the NEIT on these topics.

Vessel Strike Reduction Working Group

W. McLellan (Lead) provided an update on the progress of the vessel strike reduction working group (D. Wiley, M. Baumgartner, D. Reeb, M. Rickard, C. Driscoll, K. Moore, D. Cholewiak, L. Alberta). The goals identified for this group were to investigate circumstances of each right whale mortality, determine what management strategies will eliminate future mortalities, and collaborate on additional management needs. The team members who expressed interest in being a part of this work group will send any questions they have to Bill, and plan for a conference call with the working group.

South of Cape Cod SMA Working Group

D. Cholewiak (Lead) provided updates on the progress of the South of Cape Cod SMA working group, with the main focus being the working group trying to establish the timeframe and spatial extent of the proposed SMA. Based on previous NEIT discussions, the working group was waiting for the NMFS Vessel Speed Rule Report to help inform efforts, however, many team members agreed that this is a good time for this working group to continue their efforts without the report. Dani solicited feedback from the team on some questions identified, and will reconvene the working group to finalize the timeframe and spatial extent. There were discussions by the team to have the South of Cape Cod SMA working group focus on this geographic area, and then use the vessel strike working group for potential larger-scale regional recommendation(s). These working groups will work closely with one another.

Public Involvement Next Steps

The NEIT recognized the need for public involvement for increased transparency, but also felt there should be a part of the meeting closed for team member deliberation. Various ideas were discussed going forward. This included input provided to the NEIT from stakeholders. Ideas included a public forum similar to the SEIT model. Parts of the public forum could include information sharing to include presentations from selected speakers, receiving information and/or input from the public regarding their concerns, receiving feedback from stakeholders, and updating the public with NMFS regional current events, to name a few. A question came up about how to deal with media, and Diane said that she would look into how the ALWTRT handles that as an example. The NEIT did not have time to fully discuss details such as how much time will be added to the meeting schedule to accommodate the public. The public forum will be virtual to start, as it is unlikely that the NEIT will meet in-person in the immediate future.

NEIT Right Whale Priorities and Shovel-Ready Proposals

Another portion of the webinar was centered around continuing the exercise of identifying shovel-ready ideas for recommending projects to GARFO (to fund with any future right whale funds and for NMFS to take into account in NMFS right whale budget needs/discussions). Team members were asked to continually add their ideas to a live document that the NEIT has access to. It was acknowledged that these ideas could also help inform NEIT member agencies/organizations. Some of the ideas discussed included incorporating Whale Safe into current initiatives on the east coast, using new vessel tracking technology, improving zooplankton modeling for the modeling studies priority, tagging right whales in Nantucket Shoals and in the New York Shipping Channel, expanding observational coverage of a region, and applying climate change scenarios to lobster habitat suitability models to identify areas of overlap between the industry and the whales. D. Cholewiak stated the funding would need to be through a contract action and would check contracting deadlines. That would help inform the Team's due date for recommending a shovel-ready project for the available funds.

Due to time constraints, members will continue to help identify shovel-ready ideas for each priority action item and discussion will continue at a future webinar.

D. Consensus Actions

- Continue moving forward with NEIT Monitoring, Off Race Point SMA and Vessel Strike Working Group efforts.

E. Consensus Recommendations

- The team recommended to GARFO to amend Off Race Point SMA and extend protection from April 30 to May 31. (K. Moore will submit in the formal format to GARFO for this specific recommendation with the accompanying background.)

F. Next Steps

- M. Baumgartner will get information on special circumstances (i.e. ships having permission to go fast) to circle back from the Whale Safe discussion;
- D. Wiley and B. McLellan will discuss whether there may be a previous right whale case which additional information from OLE if available would be useful.
- Diane will work with the NEFSC to update the right whale population status talking points.
- Diane will send out a doodle poll to solicit from the Monitoring Working Group when the best time is for a January call.

- NEIT Vessel Strike Reduction Working Group will get a target date for a conference call with the working group.
- South of Cape Cod SMA working group will reconvene to finalize the timeframe and spatial extent of the proposed SMA.
- The NEIT will review the Draft Terms of Reference within two weeks [post-meeting note- expanded due to holiday season and not all members were still present on the webinar] and let Diane/Katie know if consensus can be reached. If yes, Diane will begin the finalization process.
- Diane will research how the ALWTRT deals with media and share that with the NEIT.
- Diane will modify the Shovel-Ready working document to mirror NEIT priorities. The team will review this independently one week from now, and prioritize what is on this list in a webinar to make a recommendation to NMFS GARFO on how to use the \$75K.
- D. Cholewiak will research the contracting deadlines to help inform the deadline for the Team's shovel-ready recommendation.
- Diane and Katie to organize future webinars when applicable reports are available (e.g., NMFS' Vessel Speed Rule Report).
- K. Moore will solicit availability for NEIT early 2021 winter webinar: agenda topics to include shovel- ready funding ideas, continued discussion of public participation, and timing for next multi-day meeting amongst others.
- Diane will review NOAA's currently-scheduled meetings in the MAR/APR timeframe to help inform the team's next NEIT extended meeting (2-3 days).