

March 1, 2007

To all groups concerned in the MBARI Mars project.

I am writing as a concerned citizen of the Monterey Bay area. It has come to my attention that the cable ship Global Sentinal, 145m with substantial obstruction of immediate surrounding view, will be laying cable in the bay with ONLY 2 marine mammal observers to aid in the safety of the wildlife that come here to feed and or migrate through the area.

Gray whale mother and calf pairs will be in peak season traveling through the area back to Alaska and they often take a route of coming inside Monterey Bay to avoid and to protect themselves from orca attacks which peak during the end of March through April and beginning of May. Gray whales may at times travel more stealth like in these waters as they are vulnerable to orcas picking up on them and making easy prey of their calves. For gray whale behavior and migration patterns the information here can be cross referenced by Wayne Perryman at Southwest Fisheries Science center in La Jolla Ca, phone number 858-546-7000.

When gray whales travel like this it is extremely hard to get a view of them and completely impractical for a fatigued observer with visual obstacles, large flying bridge, deck equipment, and over all physical size of the ship itself, and potential distracting sea states to sight all the animals, or track there movements near the project with only one on duty observer at a time. There is a high probability of missing the animals that might be nearing the ship, its cable, and most of all the propellers/thrusters which may not have all encompassing guards on them.

I believe it was in 1999 or 2000 when a cable laying vessel was in some what shallow waters in Morro Bay when the crew of the cable ship alerted the observer vessel there was a whale approaching on their port side. The observer vessel was on the starboard side completely blocked of the immediate animals approach.

The trained observers documented a 6 week to 10 week old gray whale calf after it swam right up to a cable laying vessel. The gray whale followed the port side toward the stern to swim directly under the cable ship to sever its flukes off. The animal reemerged abruptly on the aft starboard side (in front of, the observer ship, The AJ) of the cable ship thrashing rapidly trying to swim. Subsequently, with out a large portion of its fluke, blood and water were being thrown in the air for all to see and photograph. The baby whale was moving in rapid motions, flailing, listing, trying to right its self, and the animal lost its life by bleeding out along the starboard side of the cable ship.

Veterinarian, Dr. Martin Haulana, of The Marine Mammal Center in Sausalito, Ca examined and documented that the cuts and severed fluke on the young gray whale were consistent to propeller wounds and that the partially encased thrusters at the stern of the cable ship could and most likely cut the whales fluke off. It was determined that a cut this severe would not take very long for an animal to succumb to death and there were no other ships in the area close enough for it that to have been a rational option.

A full account was submitted along with photographs to the proper authorities by marine mammal observers working with ABA Consultants, out of Santa Cruz California. California State lands Commission, California Coastal Commission, and National Marine fisheries Service should all have an official accounting of this in their records.

* I hope we learn from this last example. Possibly covering of the propellers entirely not partially is one solution.

* Having ample observers who can see in all directions could have had an opportunity to prevent this.

* Observers should be placed on the operating ship and positioned so that **all views can be observed with relative ease and frequency.**

* **ONE OBSERVER ON DUTY WATCHING ON A SHIP THIS SIZE AND OVER WORKED IS AN OBVIOUS REFUSAL OF THE SAFETY OF WILD LIFE DURING PEAK SEASONAL MIGRATIONS AND FEEDING PERIODS OFF THE COAST OF CALIFORNIA,** neglecting the reasons we established the Monterey Bay Sanctuary and possibly violating the marine mammal protection act. I did not notice while reading the Proposed Special Conditions and Mitigation Measures for the project that the project was allowed a certain number of marine mammal or turtle takes. Is the observer company willing to take responsibility for a substandard ability to do their job? Is MBARI prepared to be accountable for knowingly setting forth on this project when adequately informed of the precautions they should have taken but ignored if a wildlife incident incurs?

* A TEAM of observers is always needed so that one expert in the field can track the animal while the other or others start the process, IF NECESSARY, of notifying the crew and organizing a plan of action to suit the safety needs of humans- potentially in the water and animals within a dangerous distance of the working ships, cables, gear, and propellers. The Global Sentinel is large and communication amongst crew or alerting a second off duty observer for assistance, will take an effort but one that is not practical while maintaining a view and tracking the movements of a cetacean.

Last year, 2006, feeding season for humpback whales was one like no other in the last 30 years in Monterey Bay. It was a very unique year and predicting that the same kinds of encounters with wild life will happen again, would not be an accurate statement. These animals are choosing to direct their attention toward the boaters more frequently.

There have been a growing number of "Friendly" humpbacks (curious whales that turn off from what they are doing and come over to boats). This behavior is very unpredictable. There were at least 12-16 distinctive curious whales some times as single individuals and groups of up to 6 have been sighted to spend a substantial amount of time from 15 to 40 minutes on average around the whale watching boats, local dive boats, fishing boats, and sailboats. HOW CAN ONE OBSERVER AT A TIME KEEP TRACK OF THIS???

There are a handful of humpback whales that tend to stay with a single boat for 1 or more hours. This can happen because the animals position themselves under the boats, close to the propellers, preventing the operator from engaging the propellers so the vessel can leave. Some of these whales have been documented repeating the curious pattern from boat to boat for 1 to 6 hour periods displaying all kinds of behaviors. This is generally a positive encounter with people in Monterey Bay and turns into an experience of a lifetime

to be cherished but these behaviors could be sadly undesirable for the whales safety if the few observers on the Global Sentinal are not equipped with enough people to properly monitor a "Curious" whale as they come and go several times repeatedly (I see this particularly when a vessel is some what stationary).

Their behaviors have been everything from spy hopping, rolling upside down with their ventral side toward the sky, sometimes slapping their flukes/tail lobbing, holding still in resting states with a portion of their body gently touching the side of the boats, rolling in or carrying kelp strands along with flukes and pectoral fins draping their body in it, to peck fin slapping, circling around repeatedly, to exhaling on passengers spraying them with whale breath. All of these behaviors are with in proximity of touching the boat to several meters away from it. Some of the longest encounters were 2 hrs and 45 minutes with the most determined male humpback that was frequently seen for almost 5 months in 2006 getting friendly with vessels no less than 40 separate occasions and would go from boat to boat for hours.

Yes, the MARS project could get lucky and none of these kinds of events will arise and slow the fascinating work at hand, but are you willing to take that risk?

The feeding season for the humpbacks and other cetaceans including the highly threatened leatherback sea turtles are all due to arrive. March is just the beginning as we see at least one to two humpbacks a week already. Their feeding season takes place here, in one of the best restaurants in the world, upwelling a buffet of food for them to refuel, and I am hoping there will be smart powerful people in the right places to allow them to do this without harm. This is a well meant project that has potential to unravel other ocean wonders and should succeed.

Hopefully endangered species do not have to pay the price for our reluctance to know that we can do better. Please consider more than two wild life observers for the task at hand. Copies of this appeal will be going out to multiple agencies and parties.

Thank you and much success to all the agencies involved.