

**Congress of the United States**  
**Washington, DC 20515**

October 22, 2013

T.L. Garrett  
Vice President, Pacific Merchant  
Shipping Association  
300 Oceangate, 12th Floor  
Long Beach, CA 90802

The Honorable Ray Mabus  
Secretary, United States Navy  
1200 Navy Pentagon  
Washington DC 20350-1200

Dear Mr. Garrett and Secretary Mabus,

We are writing to request the Pacific Merchant Shipping Association (PMSA) and the Navy's Naval Air Warfare Center Weapons Division Sea Range (Sea Range) collaborate on a voluntary shipping agreement to help reduce both whale strikes and conflicts with critical Sea Range operations in the Santa Barbara Channel region. As U.S. Representatives of the central coast of California, we are keenly aware of the multiple uses and benefits of our local coastal waters and believe such an agreement could benefit all stakeholders involved.

The U.S. Navy and the international maritime shipping industry are two important local ocean users, and the region is home to thriving tourism and recreation industries and a rich marine ecosystem. One important point of interaction between these industries concerns whales, which are crucial to local economies and ecosystems, but can be struck by shipping vessels that travel through the Santa Barbara Channel region, including the Sea Range. Traditionally, ships have relied on the International Maritime Organization (IMO)-sanctioned shipping lanes that pass through the Santa Barbara Channel; however, in response to recent changes in air pollution rules, a large proportion of ship traffic has shifted to routes that pass south of the Channel Islands, through the Sea Range. This shift may be benefiting some species of whales such as blue whales, which according to current scientific understanding congregate in higher numbers in the Channel than in the Sea Range. However, they may be increasing risk to other whale species that may be found in greater numbers south of the islands. Ship traffic south of the islands may also interfere with Navy operations, and the lack of organized shipping routes in the Sea Range poses risk of ship-to-ship collision and resulting spills of oil and other contaminants. A collaborative agreement could increase human safety and reduce risk to environmental health.

We recognize and greatly appreciate the existing efforts of the shipping industry and the Navy to protect whales in the Santa Barbara Channel region. For example, the recent decision to shift the Traffic Separation Scheme in the Channel away from the upwelling and whale feeding area is a significant step in the right direction. In addition, the new mobile phone application that uses crowdsourcing to track and avoid whales off the California coast is another great accomplishment. Furthermore, the Navy demonstrates its commitment to marine resources by ensuring that whales are not present when carrying out testing activities in the Sea Range, which spans most of the marine area south of the Channel Islands, and shares data on whale locations with the National Oceanic and Atmospheric Administration. The Sea Range and Marine Exchange have also been working together for several years to ensure ships understand when and where operations on the Sea Range are occurring. That collaboration has reduced the impacts on both Sea Range operations and shippers.

Despite these advancements, there is still more to do. Therefore, we urge the Navy and PMSA to develop a collaborative agreement that is amenable to both organizations, takes into account community

stakeholder input, and uses scientific methods for identifying optimal lane placement based on whale distributions, shipping, and Navy operations. By including a wide range of stakeholders in such an effort, a voluntary shipping scheme could be developed that would reduce the potential for whale strikes while also enabling efficient maritime operations and enhancing our nation's defense readiness. In addition, it would provide an opportunity for both organizations to promote their commitment to marine resource sustainability; reduce the risk of ship-to-ship collisions south of the islands and of Navy liability; and reduce conflict between Naval exercises, shipping, and marine ecosystems.


The collaborative shipping route agreement could be flexible. For example, mariners could be encouraged to use a specified route through the Sea Range during the months when blue whales are most abundant in the Channel, and/or when the Navy is not performing tests in the Sea Range. The location of the route(s) could even be dictated by the Navy's activities seasonally, daily, or otherwise. Furthermore, the agreement could promote the collection and sharing of data on whale sightings, which would increase scientific understanding and help ensure success of the shipping scheme.

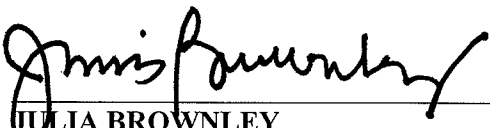
Among its many potential benefits, a collaborative agreement could contribute significantly to the protection of blue whales, a species listed as endangered by the International Union for Conservation of Nature. A population of blue whales relies on the Santa Barbara Channel region as feeding grounds, especially during the months of July through October. The tourism industries in Santa Barbara and the surrounding communities, which bring more than \$1 billion annually to local economies, rely on healthy whale populations to fuel their businesses. Beyond their direct economic benefits, whales form an important component of a functioning and healthy marine ecosystem on which many industries rely.

The issue of whale strikes gained heightened attention in 2007 when at least four blue whales were struck and killed in southern California. Due to their long life cycles and slow growth, blue whales are particularly susceptible to the taking of even small numbers of their populations. Moreover, because their carcasses sink, it is difficult to know how many blue whales actually succumb to ship strikes. Some estimate that the actual number of whale fatalities due to ship strikes is at least 5.5 times the number of documented fatalities<sup>1</sup>. A collaborative shipping route agreement that reduces the risk of ship strikes would therefore be important for protecting this vulnerable species.

We therefore urge the PMSA and Navy to build on their commitments to the environment by collaborating on a collaborative shipping route agreement in the Santa Barbara Channel region. We greatly appreciate your commitment to sustaining healthy coastal resources and economies, and thank you for your consideration of this request.

Sincerely,

  
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LOIS CAPPS  
Member of Congress

  
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JULIA BROWNLEY  
Member of Congress

Cc: Captain J. Kipling Louttit, Executive Director, Marine Exchange of Southern California

<sup>1</sup> Redfern JV, McKenna MF, Moore TJ, Calambokidis J, Deangelis ML, Becker EA, Barlow J, Forney KA, Fiedler PC, Chivers SJ. Assessing the risk of ships striking large whales in marine spatial planning. *Conservation Biology* 27(2): 292-302.