



Whales Alive!

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IWC/63/Jersey: An Uncertain Time for Whales & Whaling

By Heather Rockwell and Jessica Dickens, CSI Board Representatives to the IWC

The Annual Meeting of the International Whaling Commission (IWC) is scheduled to begin July 11th on the isle of Jersey off the coast of France. While we know the details of the meeting, we aren't sure what is going to be discussed at this year's IWC meeting. There are too many ifs, ands and buts concerning the IWC, whales and whaling.

Here are the major issues facing the Commission in Jersey:

Current Acting IWC Chair Anthony Liverpool of Antigua and Barbuda has tendered his resignation to the IWC Secretariat, effective on July 11th – the opening day of the Annual Meeting. The Commission will soon be leaderless – a dangerous thing given the current state of affairs. The list of candidates interested in becoming the next Chair of the IWC is non-existent – it's a thankless job with no one wanting to take the reins of what is perceived to be a broken group.

While everyone recognizes the extreme hardships facing the country of Japan following the devastating earthquake and tsunami, we must still be aware of the negative impacts and illegalities associated with Japan's whaling activities. In the last issue of *Whales Alive!*, we reported on the positive news that Japan had withdrawn its whaling fleet from the Southern Ocean much earlier than expected this year. Japan's bogus scientific whaling program in the Antarctic (JARPA) ended up taking 170 minke and 2 fin whales before being shut down.

However, it's Japan's special permit whaling program for coastal minke whales in the Northern Pacific (JARPN) that is most troubling. The whaling operations have been moved from tsunami-ravaged Ayukawa in Miyagi Prefecture to Kushiro in Hokkaido Prefecture. Both the spring and fall hunt quotas call for 60 minke whales to be taken off Hokkaido, rather than split between the two locations as usual. This is disturbing for several reasons including the fact that Kushiro is a commercial whaling port and killing minke whales off Hokkaido could negatively impact the critically endangered J stock of minke whales. Will Japan seek a "sympathetic" vote from the Commission?

Most disconcerting of all is the continued increase in whaling and trade in whale products by Iceland in open defiance of

the IWC moratorium on commercial whaling. The Icelandic whaling fleet began their 2011 hunting season on April 27th with the intent of killing at least 216 minke whales and 154 fin whales. In addition, the whalers are now offering whale meat for sale on the web. Iceland's refusal to give up whaling continues to block them from being accepted into the European Union. What will it take to stop Iceland's illegal whaling activities?

Another big "if" this year is what can we expect from the U.S. delegation. Their failure to push through the compromise deal to suspend the moratorium on commercial whaling to appease the whaling nations of Japan, Norway and Iceland was a major victory for whales and a huge embarrassment for the U.S. Now, the U.S. delegation will focus on ensuring that the aboriginal subsistence whaling quotas for the Alaskan natives is not in jeopardy of being blocked by Japan and its allies in 2012.

Yet, even with all of these uncertainties, the coalition of U.S. based NGOs, known as WhalesNeedUS (WNUS), continues to meet and strategize on how best to deal with these many issues. Upon hearing about the issuance of the special permit for JARPN by the Japanese, WNUS sent a letter to the like-minded Commissioners asking the scientists to raise the issue of JARPN's negative impact on the endangered J stock of minke whales during the IWC's Scientific Committee meeting in June. WNUS has also been working on how best to pressure Iceland to stop whaling and trading whale products with Japan.

For years, CSI has led the charge to help the Latin and Caribbean NGOs get to IWC meetings and this year is no different. We are delighted that other groups have donated funds to help defray the costs of getting these influential NGOs to the IWC. We have watched the Latin and Caribbean NGOs lobby and sway their Commissioners and small national delegations at the IWC – as opposed to our large U.S. delegation that doesn't seem to listen to us anymore. Another bit of good news is that the whales will have a new friendly nation to support them this year at the IWC with the addition of the Dominican Republic to the list of member nations.

Despite the many uncertainties facing whales at the IWC, CSI will be there to fight for their future.

Wikileaks and Whales

By Taffy Lee Williams, CSI Board, New York Whale and Dolphin Action League

Early in January 2011 WikiLeaks released a series of diplomatic cables dealing with whales and the International Whaling Commission. In November of 2009, Department of Commerce Deputy Undersecretary for Oceans and Atmosphere and IWC Commissioner Monica Medina (also the wife of President Joe Biden's Chief of Staff) traveled to Tokyo in an attempt to gain cooperation from Japanese officials to "transform" the International Whaling Commission. In many ways the negotiations were fraught with disappointments and even miscalculations and present a disturbing approach by the US team to the "conservation" of whales.

In May, 2009, well before Medina's trip to Japan, the International Maritime Organization (IMO), a UN agency, passed new laws prohibiting the use or transport of heavy grade fuel oils through the Antarctic and Southern Oceans. The new laws, which would prevent the Japanese whalers' factory ship from operating in these waters, would take effect in August, 2011. (*IMO. International Requirements for Ships Operating in Polar Waters*, p. 12. 2009). Without a costly retrofit or new vessel, the whalers will be barred from their favorite hunting grounds and could be out of business. The Wikileaked cables not only show that Medina's team were unaware of these new laws, but implicate Clinton and Medina as showing shocking support for Japan's coastal whaling, for lifting the ban on commercial whaling and settling

IWC disputes for the sake of "international relations". In exchange for Medina and Clinton's support for Japan's continued whaling, Japan would pledge not to kill humpbacks in the Southern Ocean! Clinton writes:

"In particular, the Governments of Japan and the United States would work towards reaching an understanding regarding a way forward for the International Whaling Commission that would include a meaningful reduction in Japan's current whaling levels and U.S. support for international approval of sustainable small-type coastal whaling activities off the coast of Japan. In addition, the GOJ would no longer hunt fin or humpback whales in the Southern Ocean..." (http://213.251.145.96/cable/2009/11/09STATE117709.html#by_A)

Unbelievably, the disturbing leverage sought by Clinton and Medina was a pledge from Japan not to continue its "research whaling" in the Southern Ocean! Equally disheartening, by simply acknowledging the Japanese whaling vessels as "research", the US State Department legitimizes the bogus "scientific research" loophole exploited commercially by the whalers despite the fact that not one single piece of credible, published "research" has come out of Japan's Institute for Cetacean Research whaling program in its 25 years of flaunting the IWC ban on commercial whaling! Clinton states:

"We understand that there is an important related issue regarding safety at sea of the Japanese research vessels that must also be addressed." *Ibid.*

This reference ("safety at sea") to the Sea Shepherd Conservation Society (SSCS) otherwise gives credence to the "research vessels", making the work of this US team rather hard to swallow. Even Japanese scientists scoff at the ICR's claim they are killing whales in the name of science. It is clear that despite campaign pledges in 2008, Obama was behind these misguided endeavors:

"The new administrations in Japan and the United States have a unique opportunity to chart a different course for the IWC, and resolve our long-standing disagreements through fundamental reform of the IWC. This is a small issue but it is important to the Obama Administration that it be resolved quickly." (Clinton.) *Ibid.*

Many are still wondering how lifting the ban on commercial whaling, which would allow free-for-all whaling for every nation in the world, would actually help "conserve" whales! The US language of reviving commercial whaling and "managing stocks" puts the US team squarely in the camp of whale-killing nations.

At a private meeting with State Secretary Tetsuro Fukuyama Ms. Medina requested political commitment from the new leadership in Japan to work with the United States to transform the International Whaling Commission so that it can better accomplish its objectives to conserve whales and manage whale stocks. *Ibid.*

Hasn't anyone told Clinton and Medina that 83% of the US population is opposed to killing whales, opposed to removing the whaling ban, opposed to so-called "small" coastal whaling - which would allow the killing of whales in the Western Pacific, which wouldn't be much different than in the Southern Ocean? Whales don't look different because they are outside of the Southern Ocean. There's nothing "small" about Japan's bid for "small coastal whaling", except the amount of

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CSI is an all-volunteer, non-profit, tax-exempt conservation, education, and research organization with contacts in over 25 countries. Our goal is the "optimum utilization of the whale resources," as called for in the 1946 Treaty of the International Whaling Commission, through the protection of viable habitat and the cessation of all killing and captive display of whales, dolphins, and porpoises. We support and promote benign activities such as regulated whale watching, nonlethal and humane research, and widespread educational, environmental and observation programs relating to free-roaming cetaceans internationally. Our ultimate objective is the global acceptance of peaceful coexistence and mutual enrichment for both humans and cetaceans.

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international support they may garner. How could the US team hope to benefit from a renewed slaughter of whales, however relocated from the Southern Ocean to the Western Pacific?

Many NGO's are outraged that the Obama Administration's IWC team held secret meetings to negotiate lifting the ban on commercial whaling without allowing critical NGO input. The US barred NGOs from participation at both the support group meetings in Chile and the 2010 IWC. Knowing the ire these acts would raise, the only explanation is that the US negotiators consider NGOs and their input as expendable.

Inexcusably in the dark concerning marine laws, we find Clinton pledging, in return for Japan halting whaling in the Southern Ocean:

"...the United States would uphold domestic and international laws to ensure safety at sea and encourage other governments to do the same."
Ibid.

In a rudely conciliatory gesture, IWC Commissioner Medina went so far as to state that she would attempt to strip Sea Shepherd (SSCS) of its non-profit status due to its "violent" tactics. Seizing on the opportunity to make whaling gains, Japan's spokesperson said he appreciated the USG initiative to address the SSCS's tax exempt status. He said action on the group would be a "major element for Japan in the success of the overall negotiations..."! Regarding the SSCS, she said she believes the USG can demonstrate "the group does not deserve tax exempt status based on their aggressive and harmful actions." <http://213.251.145.96/cable/2009/11/09TOKYO2588.html#par6>. Yet there is no mention of steps against Japan for an essentially bogus scientific whaling program.

SSCS's Paul Watson quickly responded by stating that Medina may have committed an impeachable offense in the attempt to remove non-exempt status at the behest of a foreign government. (http://archive.wbai.org/files/mp3/110103_170001fiveshadow.MP3)

In what may be the ultimate miscalculation, Clinton and Medina appeared to believe that the entire anti-whaling bloc at the IWC would follow the US lead in its willingness to lift the ban on whaling. Yet while fear for the lives of whales ran through the NGO bloc, talks fell apart at the 2010 IWC meetings, and the anti-whaling members, including the European Union and Australia, held their positions.

An End To Whaling? Not So Fast...

On February 16, 2011, the Japanese whaling fleet suspended its hunt in the Southern Ocean, citing Sea Shepherd's ongoing harassment. Now that the factory vessel, non-compliant with new maritime laws, will not be permitted to operate in the Southern Ocean after August, 2011, it is expected that Japan will push hard for its "small" coastal whaling at the 2011 IWC meetings, despite widespread international condemnation. On the same day as the Japanese announced the end to its whaling season, Australia and New Zealand's Prime Ministers, Julia Gillard and John Key respectively, released a joint statement:

"The Prime Ministers reaffirmed their commitment to the elimination of whaling in the Southern Ocean. In this context, Australia welcomed New Zealand's decision to intervene formally in Australia's action against Japan at the International Court of Justice while continuing to pursue diplomatic efforts to bring about an end to Southern Ocean whaling and to resolve the current impasse in the International Whaling Commission." http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10706657&ref=emailfriend

Just one day later, on February 17, nine Latin American nations comprising the "Buenos Aires Group" called on Japan to end its so-called "scientific" whaling program. Will Obama's deficient IWC team praise Japan's withdrawal from the Southern Ocean, condemn Sea

Shepherd and continue to promote Japan's small coastal whaling program? Will Japan use the SSCS as some kind of perverted scapegoat to gain concessions or even sympathy, claiming Watson's group forced them to abandon scientific whaling, when they know very well of the August, 2011 prohibitions? How will Japan deal politically with the fleet's inability to access the Southern Ocean? Will Japan claim such severe damage by Sea Shepherd that it somehow "deserves" small coastal whaling?

The IWC's most recent reckless attitude toward whales may have severe political and environmental consequences in the long term. The health of the oceans, including greater size and abundance of fish throughout the food chain, is now being appreciated as an effect of the presence of whales and their biological processes in the sea. As this news slowly wends through the global earth-watching community, tolerance for removing whales from the seas will surely further diminish. Despite US dominance on the stage of world policy and affairs, not only has Obama and this US team failed in their obligations to reflect the wishes of the public they represent, they have failed to be the ocean's stewards, shutting out the opposition that would bring some responsible sanity into the discussions. What will be the price for this deficit?

The Japan Fisheries Agency and Institute for Cetacean Research (ICR), along with the whalers cry "tradition" in their attempts to justify more killing of whales. However, when was gluttony part of Japanese whaling "tradition"? With 6000 tons (that's 12 million pounds!) of apparently unsalable frozen whale meat in storage in Japan, the world market for whale meat is flailing about in what many are calling its pre-death throes. The Japanese public is not clamoring to uphold the alleged whale meat tradition, and even worse, Japanese taxpayers are reluctantly being forced to subsidize the unprofitable industry, which costs roughly \$9 million annually. The Japanese public is also mulling over the latest IWC-tainting scandals: the Japanese Fisheries Agency censured five of its officials for taking whale meat bribes worth thousands of dollars, and others were found guilty of paying for construction "favors", IWC member dues, even prostitutes, for IWC delegates to sway their votes pro-whaling.

Late in 2010, the Japan whaling fleet could not hire a willing refueling ship, delaying its departure on what may be its last Southern Ocean whaling venture. This comes amid speculation that there are few refueling ship owners who are willing to risk being associated with widely condemned whaling activities.

Another Wikileaks release in mid-January showed that Iceland views the whale-meat market as nonviable.

2. (SBU) Staff members of Hvalur, hf, which is the only company in Iceland with the capability to hunt large whales, told Emboff on July 3 that whaling is providing jobs for 150 to 200 people. However, they admitted they are keeping their fingers crossed that there is a market for the meat and said, otherwise "this is a doomed operation." Since minke meat is the only whale meat consumed and sold in Iceland, the fin meat must be exported to another market, such as Japan. In May, Greenpeace and a local environmental group held a press conference which featured a recorded conversation with the Japanese importer of the Icelandic whale meat who stated he would not be importing any meat from Iceland this year. In late June, the Japanese Charge d'Affaires told Emboff that he didn't believe there was a market for the fin meat in Japan. (<http://213.251.145.96/cable/2009/07/09REYKJAVIK122.html#par2>)

If Clinton and Medina are not embarrassed by the IWC negotiations revealed by Wikileaks, they should be. In a democracy, the workings of government should be open to the public. In this case, the deficit in democratic principles brought the regrettable US official positions to the world stage.

Earthquake, Tsunami, Nuclear Disaster and the Fate of Whales in the Sea of Japan

By Taffy Lee Williams, CSI Board, New York Whale and Dolphin Action League

On March 11, 2011, a massive earthquake shook the sea off the northeast coast of Japan. The crippling tsunami that followed wiped out entire towns and cities, destroying infrastructure and transportation. The tragedy left 12,000 Japanese dead, with 16,500 still missing. The tsunami, with waves as high as 12 meters, breached the concrete seawall at the Fukushima Nuclear Power Plant, flooding the complex of six onshore reactors. The reactors' cooling systems and backup diesel power generators were disabled, leading to a buildup of hydrogen gas which caused explosions at three reactors, which sent plumes of radiation into the air.

The triple meltdown has many debating whether Fukushima is worse than the nuclear accident at Chernobyl, where a reactor core exploded leaving an uninhabitable "dead zone" about 30 meters around the plant. Until now, Chernobyl has been considered the world's worst nuclear accident, causing 31 deaths and spewing radioactive fallout over much of the Northern Hemisphere. Fukushima has had no core explosions (which are considered worse than hydrogen explosions), but scientists are concerned the situation at the plant is being downplayed. There is evidence that uncontrolled fission is still occurring within the reactors. Accordingly, Fukushima, like Chernobyl, has recently been classified as a Level 7 (the worst) event on the International Nuclear Event Scale. Energy expert Terry Tyler says the situation is "very dire".

When a uranium atom is split in the fission process, "a whole spectrum of radioactive elements" is formed, including iodine-131, Tyler explained. "But you've (also) got strontiums and cesiums (and nitogens and oxygens and argons). And all of these radioactive elements are released the minute that this (fission) transpires...."

Tyler noted that iodine-131 is only created during fission, and the radioactive isotope has an eight-day half-life. "If it's got an eight-day half life, it's been one month since the event, and I'm seeing iodine-131 levels today that are 10,000 times higher than they were a week ago, you've got to have a nuclear chain reaction taking place."

Contrary to some news reports, the situation at the Fukushima Daiichi nuclear facility "isn't under control," Tyler added. The only rationale for officials describing the situation as "stable" is because they know that fission is still taking place. This means at least one reactor unit's melting core of fuel "is just sitting there, slowly eating its way into the ground."

Plant operators are now hauling in millions of gallons of seawater from the nearby Sea of Japan and on April 4, emergency operators began deliberate discharges of low-level radioactive water. Not only is the water contaminated with radioactive isotopes, there is a thermal heat burden as well. The plant is still producing eight megawatts of heat and "superheated" water when released into nearby bodies of water can kill marine life.

Officials have condemned Tokyo Electric Power Company (TEPCO) for its "deplorable failure" to keep radioactive substances inside the plant. Contamination has been detected in seawater one mile away from the plant to the north and south. Tests have confirmed radioactive iodine-131 in the sea near Fukushima is 3,000 times above normal. (Levels of radioactive iodine are 10 million times normal in

the water at reactor 2.) (<http://en.rian.ru/world/20110327/163229047.html>) Plutonium, a dangerous radioactive substance, is now leaking into the environment around the plant as well.

Unfortunately, the runoff of millions of gallons of contaminated water cannot be scrubbed before it flows back into the ocean, and what happens to that water is very complex - as reassuring as it may be to think that the radioactive waste is immediately diluted in the vast seas, that is really not what happens. Instead, much of the contamination is likely to be deposited in the sediment of the shoreline, and to be transported along the coast. Depending upon how warm and salty the runoff is, masses of the water may be able to travel huge distances relatively undiluted and unmixed, to be absorbed by tiny planktonic creatures before working its way up the food chain to whales and dolphins. *Calloway Whiting. How Japan's Nuclear Crisis Might Affect Whales and Dolphins.* <http://blog.seattlepi.com/candacewhiting/2011/03/22/how-japans-nuclear-crisis-might-affect-whales-and-dolphins/kurashio-current-plus-sst/>

Unfortunately, the Sea of Japan is no stranger to nuclear waste contamination. In February, 1993, Russian authorities admitted dumping radioactive waste in Far East waters since the 1950's. This means that not only have apex predators (whales and sharks) bioaccumulated pollutants like mercury in their tissues, but radioactive isotopes taken up and working through the marine food web would have concentrated in their bodies as well. Some speculate this accounts for the move from Japanese waters to the Southern Ocean for annual so-called "scientific whaling" expeditions, because of the realization that cetacean meat in the Sea of Japan was likely toxic from Russia's radioactive waste! There is actually little to justify trips to the Southern Ocean to kill whales for "research" except for the quest for a cleaner food source. After all, there are in fact 21 species of cetaceans right there in the Sea of Japan. Why didn't the Japanese take their expeditions to their own back yard, where the habits and health of cetaceans under assault by radioactive waste would be new and welcomed legitimate research? (There are few who believe Japan's scientific whaling program was anything more than a front for commercial whaling.)

The tsunami also struck the city of Ishinomaki, one of Japan's four remaining whaling bases, where 10 meter waves swallowed about 80 percent of the residences. The Ayukawa district's whaling storage facility was destroyed as well as a fleet of three whaling vessels, which today lie impotent after being carried a hundred meters inland. Despite a crippled industry and new regulations that prohibit the factory ship (with its heavy grade fuel oil) from entering the Southern Ocean, Japan has resumed local whaling. This amidst heightened concerns for the toxic load of radioactivity in the marine life of the Sea of Japan. Minke whales, the announced target of this year's local hunt, consume a diet that reflects various levels of the food chain including plankton, anchovies, herring, mackerel, salmon, and even benthic, or bottom dwelling, crustaceans. Many of these prey species are likely to pick up radioactive elements immediately, transferring them where they can wreak havoc throughout the food chain. It is believed that grey whales, because of their practice of sifting through bottom sediments for prey, will be the hardest hit by the contamination, although dolphins with their opportunistic foraging, are expected to fare poorly as well. Over

500 miles from the epicenter, Taiji, notorious for its dolphin drive hunts, was also hit by tsunami waves. Twenty-four dolphins left caged by fishermen in a sea pen were killed as they were hurled against rocks when the waves hit.

While the thermal pollution from the runoff may kill significant numbers of prey species for whales, the uptake of toxic isotopes will present their own challenges to survival. Marine mammals, like humans, may suffer from many forms of radiation-induced illness. Effects include cell and DNA damage, shock, convulsions, sterilization, internal bleeding, cancers and of course death with acute exposure. Indeed, if the consumption of cetacean meat was unwise before Japan's nuclear disaster, it is certain folly today. Hopefully sound reasoning will help avert the impacts of diet-sourced radiation sickness and lead

to a complete rejection of the consumption of dolphin and whale meat in Japan.

TEPCO plans to permanently close the plant, inducing a state of "cold shutdown" in six to nine months (early in 2012). Meanwhile, seawater is still being pumped into three reactors to keep them cool and then flushed back out to sea, carrying radioactive isotopes and thermal pollution with it. As the seasons progress and testing and observation continues, more of the grim short and long-term impacts of this disaster on marine life will be revealed.

At the same time, we must not allow our concern for whales and other marine life to distract us from the magnitude of the human catastrophe the Japanese people have suffered. CSI mourns with the people of Japan for the loss of life and destruction caused by this disaster.

BP and the Gulf One Year Later: It's Business As Usual

By Taffy Lee Williams, CSI Board, New York Whale and Dolphin Action League

On January 11, 2011, President Obama's Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling released its final report which highlights widespread oversight failures and deep-rooted regulator/industry complicity. The report tells us:

The immediate causes of the Macondo well blowout can be traced to a series of identifiable mistakes made by BP, Halliburton, and Transocean that reveal such systematic failures in risk management that they place in doubt the safety culture of the entire industry. *Deepwater: The Gulf Oil Disaster and the Future of Offshore Drilling.*

At a press conference announcing the release of the report, co-chair William Reilly said it was difficult to believe that the gulf oil spill was an isolated incident. "A key question I had at the outset is, do we have a single company, BP, that blundered with fatal consequences, or a more pervasive problem of a complacent industry? Given that these contractors are major service providers to operators in all the world's oceans, that is hard to accept."

Reilly was on target. Just 17 months before the April 20, 2010 disaster, another blowout occurred, on BP's Central Azeri platform in the Caspian Sea. Like the DWH, the accident involved BP's "quick set" drilling cement, but in this case the explosion was averted and the lives of its 211 rig workers spared. Faithful to its well-known corporate mentality, BP kept the event secret despite its implications for major disaster and loss of life. How ironic that in light of the destructive potential Congress has no requirement that corporations report a rig accident or disaster or even make the information public. Yet even simple traffic accidents must be reported immediately! Five months before the DWH disaster, BP's Chief of Exploration, David Rainey, testified before Congress saying BP's methods were both "safe and protective of the environment." If Central Azeri had been discussed, might that have helped prevent the similar drilling-cement-related DWH disaster? Instead BP hid information even from its Big Oil partners.

This is about a system that condones silence, the withholding of life-and-death information. Even BP's oil company partners, including Chevron and Exxon, were kept in the dark. ...The US Embassy in Azerbaijan complained, "At least some of BP's [Caspian] partners are similarly upset with BP's performance in this episode, as they claim BP has sought to limit information flow about this event even to its [Caspian] partners." Greg Pallast. BP's

Secret Deepwater Blowout. <http://www.truth-out.org/node/1239>

While government agencies should be tightening their regulatory grip, BP continues its pre-DWH practices. In fact, not one new drilling law has been passed since the ruinous gulf disaster occurred. Elected officials appear to cower in the face of real reform, while in fact BP, like the rest of Big Oil, continues to evade regulation by hiring contractors to perform critical roles on the rigs. Incredibly, contractors (i.e. Transocean) hired by operators (i.e. BP) are currently not monitored by any agency!

The government currently regulates only operators of offshore drilling rigs, such as BP, and in turn holds them responsible for any contractors they hire. Experts say that by delegating the supervision of contractors the government is essentially taking the word of rig operators that facilities are safe and comply with regulation. <http://fcir.org/2011/04/29/chief-offshore-drilling-regulator-criticizes-lack-of-oversight-for-contractors/>

The legacy of a dirty business and its friendly government-run-amuck oversight is the state of the stricken gulf today. Scientists have estimated that the total discharge was between 800,000 and 1,200,000 tons of oil and gas. In February, 2011, researchers from the University of Georgia led by Samantha Joye, one of the nation's foremost marine scientists, conducted five sea floor expeditions and collected 250 core samples covering an area of some 2600 miles. In their submersible, the team found a layer of dead animals and oil as much as 10 cm (about 4 inches) thick.

"The impact on the benthos was devastating. Filter-feeding organisms, invertebrate worms, corals, sea fans - all of those were substantially impacted - and by impacted, I mean essentially killed. Another critical point is that detrital feeders like sea cucumbers, brittle stars that wander around the bottom, I didn't see a living (sea cucumber) around on any of the wellhead dives. They're typically everywhere, and we saw none...." (S. Joye. <http://www.bbc.co.uk/news/science-environment-12520630>)

Bottom dwellers help oxygenate sea floor sediments and stimulate microorganism activity, two essential processes at the bottom of the food chain which affect species throughout the water column and near the surface. Their removal bodes poorly for short-term recovery

of the entire impacted ecosystem. Joye discussed her findings at a conference for the American Association for the Advancement of Science.

[Joye] also showed pictures of oil-choked bottom-dwelling creatures. They included dead crabs and brittle stars - starfish like critters that are normally bright orange and tightly wrapped around coral. These brittle stars were pale, loose and dead. She also saw tube worms so full of oil they suffocated. "This is Macondo oil on the bottom," Joye said as she showed slides. "This is dead organisms because of oil being deposited on their heads." Joye said her research shows that the burning of oil left soot on the sea floor, which still had petroleum products. And even more troublesome was the tremendous amount of methane from the BP well that mixed into the Gulf and was mostly ignored by other researchers. Joye and three colleagues last week published a study in *Nature Geoscience* that said the amount of gas injected into the Gulf was the equivalent of between 1.5 and 3 million barrels of oil. (<http://gulfmexicooilspillblog.com/2011/02/20/gulf-of-mexico-oil-spill-blog-samantha-joye-oil-choked-bottom-dwelling-creatures/>)

Joye's team found that 40% of the total hydrocarbon discharge was in the form of CH₄, methane. At 1,300 ft, they documented layers of the dissolved methane gas concentrations exceeding background levels by 75,000 times. Methane-eating microbes will deplete the waters of oxygen in affected layers, impacting small organisms like plankton and fish larvae. While being called an under-appreciated pollutant, methane can disrupt the balance of life and persist in the cold deep sea environment for many years. Methane and associated gases present another factor in determining long-term impacts from the spill.

While government agencies still appear to minimize the damage, scientists are proving them wrong. NOAA has claimed that "magic microbes" had digested nearly all of the oil, even as Joye and her colleagues claim that barely 10% of the oil had been digested. Amazingly, BP and the Obama-appointed spill claims czar, Ken Feinberg, are claiming most if not all of the gulf will be fully recovered by 2012. Yet the researchers note that killing off bottom dwelling organisms and filter-feeders will have long-term impacts on fisheries and the rest of the marine food chain. They claim that the Gulf spill's effects may not be seen for a decade.

"I think it's going to be 2012 before we begin to really see the fisheries implications and repercussions from this time." (S. Joye. <http://www.bbc.co.uk/news/science-environment-12520630>)

The toll on marine life in the gulf continues to rise, including an alarming number of dead infant dolphins, most of them aborted or still-born calves. In all, to date as many as 157 dolphins (*US FWS Consolidated Wildlife Table*) have washed up after the blowout occurred. Testing continues, proving at least eight had oil on their bodies that could be directly linked to the BP spill. Not surprisingly, many are suspicious of the official numbers. A study of 14 cetacean species published in the journal *Conservation Letters* states that death counts have been grossly underestimated. Researchers from the University of British Columbia found that for every recovered carcass, there were actually 16 deaths.

The team's analysis suggests that only 2% of cetacean carcasses were ever historically recovered after their deaths in this region, meaning that the true death toll from the Deepwater Horizon disaster could be 50 times higher than the number of deaths currently estimated. (<http://www.physorg.com/news/2011-03-whale-dolphin-death-toll-deepwater.html>)

NRDC Communications Associate Rocky Kistner has been writing on local conditions from near DWH's ground zero.

Many more dolphins are dying in the Gulf than are officially counted. [Research] suggests that so far this year, more than 6500 dolphins may have died, and for some species of mammals, the rate is 250 times higher. ...The media have reported that the BP oil disaster may have modest environmental impacts due to the low numbers of wildlife and mammal mortalities. That is far from the case. *Rocky Kistner*. http://switchboard.nrdc.org/blogs/rkistner/number_of_dead_dolphins_in_gul.html

The dolphin's gestation period is 12 months, with birthing occurring in the spring. Many scientists believe the oil inhaled or ingested by the cetaceans in the early weeks of the spill (and beyond), during initial pregnancy could have had a delayed effect, leading to this year's unusually high stillborn and miscarriage rate which occurred just before the birthing season. Some researchers are complaining that NOAA's practice of returning weakened dolphins to deep water is undermining efforts to investigate the spike in dolphin deaths. Affirming an entrenched BP-directed culture of deception and secrecy, when NMFS contracted with wildlife biologists to collect tissue samples and specimens for study they were ordered to keep their findings confidential. There are concerns that while scientists scramble for answers, government agencies fear political ramifications.

The U.S. government is keeping a tight lid on the lab findings due to the ongoing civil and criminal investigation involving BP. "Because of the seriousness of the legal case, no data or findings may be released, presented or discussed outside the (unusual mortality event) investigative team without prior approval," NOAA stated in a February [2011] letter that was obtained by Reuters. http://www.huffingtonpost.com/2011/04/08/dead-dolphins-gulf-oil-spill-bp_n_846524.html

Meanwhile, Alabama gulf shore residents say oil is still washing up on shore.

"The tarballs ranged in size up to about four inches in diameter. Patches of the material lay along an area about 40 feet from the water. ...It doesn't just stay there," [Ocean Beach Mayor Tony] Kennon said. "It washes back in the water and moves east and west.". (http://blog.al.com/live/2011/02/residents_say_oil_still_on_bea.html)

One year later, the cleanup workers are few, and in some places gone altogether. BP has even hired private security to prevent the public and press from entering oiled areas like the Elmer Island wildlife refuge and Grand Isle State Park in Louisiana, where oil persists on beaches once rich with both wildlife and sunbathers.

At the entrance to Grand Isle State Park, we're issued the same warning..., that the beach is closed to the press and everyone else because there are workers on it. That doesn't seem like that good of a reason to keep a reporter off a beach, and in any case it is a lie. Last August, when I walked out of sight of the park staffer at the entrance and onto the beach, two private guards escorted me away. This time, the beach is deserted of rent-a-cops and cleanup workers alike. It's covered in tarballs, little and sometimes not-so-little brown blemishes all over the sand. They're shiny and smell like gas when you break them open. *Mother Jones*. *BP Still Doesn't Want You to See Its Tarballs*. <http://motherjones.com/rights-stuff/>

2011/03/BP-oil-tarballs-louisiana

Apparently a great deal of oil still out there, although there seems little effort being spent on removal.

Eugene Turner, an LSU wetlands scientist, has looked at marshes in Louisiana's Barataria basin, and found oil buried in the mud and sand. "You can't smell it. You can't see it. It's not this big black scum out there, but it's there," Turner said... Today, a crust of oil still lines miles of the outer fringe of marsh in the bay, a remote spot visited by the occasional fisherman and oil worker.
<http://www.beaumontenterprise.com/news/article/Scientists-Gulf-health-nearly-at-pre-spill-level-1340952.php#ixzz1JsToqNh6>

The US Fish and Wildlife Service's official count of 8,065 impacted birds is certain to rise, according to Melanie Driscoll, director of bird conservation for the National Audubon Society in the Gulf of Mexico. Driscoll has assisted in counts that documented birds volunteers and workers actually saw. She believes thousands more died but were lost in the oily offshore waters, bayous and marshes of the gulf.

"Injury to animals is not just a death count," Driscoll says. "It's also something that could affect their fitness or longevity or reproductive ability for years to come." During the 1989 Exxon Valdez oil spill in Alaska, biologists initially counted about 30,000 affected birds, but that number later soared to 250,000 after calculations were made to include birds that were likely impacted but not seen, Driscoll says. "You can't always tell by sheer number of birds collected what effect on the population will be," she says.
http://www.usatoday.com/news/nation/environment/2011-04-01-oilbirds01_ST_N.htm

The Gulf of Mexico is home to five species of sea turtles designated "at risk" or endangered. 613 dead sea turtles have been recovered, (*US FWS Consolidated Wildlife Table*) but as with marine mammals and other species, the actual number of turtles succumbing to the hazards of the oil, including being caught in controlled burns, is unknown.

As for fish, NOAA Assistant Administrator Eric Schwaab announced in April, 2011 that traces of oil are 100 to 1000 times below the level of concern for the more than 40 species tested. Despite claims the gulf's seafood is safe to eat, 1,000 square miles around the accident site are still closed to fishing. In "safe" areas, anglers complain that landings are down even as they present scientists with diseased reef fish, like red snapper and sheepshead from oiled areas.

The fish had dark lesions on their skin, some the size of a 50-cent piece. On some of them, the lesions had eaten a hole straight through to the muscle tissue. Many had fins that were rotting away and discolored or even striped skin. Inside, they had enlarged livers, gallbladders, and bile ducts.... <http://www.tampabay.com/news/environment/wildlife/sick-fish-suggest-oil-spill-still-affecting-gulf/1164042>

Jim Cowan, a Louisiana State University oceanographer, told reporters the fish have a bacterial and parasitical infection that is "no doubt associated with chronic exposure to a toxin" and a compromised immune system.

[Cowan] believes the toxin in question is oil, given where and when the fish were caught, their symptoms, and the similarity to other incidents involving oil spills.... The fish with lesions and other woes have been caught anywhere from 10 to 80 miles offshore between Pensacola and the mouth of the Mississippi River, an area hit hard by last year's oil spill, Cowan said. *Ibid.*

In addition, the gulf's microscopic planktonic foraminifera, a huge component of the seas' calcite-secreting organisms and a primary food source for fish, marine worms and crustaceans, are exhibiting shell deformities. A decrease in shell weight is the result of increased acidification; however, testing continues as scientists worry that these shell anomalies appear to be spill-related, and that diseased plankton will make their way through the food chain. Also at risk are top predators like sperm whales and sharks as they respond to the consumption of sickened fish. There's no question that gulf productivity has been acutely affected. While catch numbers have fallen, harvesters have largely abandoned oyster beds in affected areas. It took four years after the Exxon Valdez spill in Alaska for the herring fishery to collapse as the fish succumbed to fungus and a virus, all due to an oil-related compromise to their immune systems. Many wonder whether the gulf fisheries will experience a similar fate.

The human toll is equally troubling. The Louisiana Bucket Brigade found that half of the gulf coast residents polled had health problems consistent with chemical and oil exposure: eye and skin irritations, headaches, coughing. Thousands of lawsuits have been filed against BP, yet while the sick and jobless are suffering, barely \$4 billion of BP's \$20 billion victim's compensation fund has been doled out. Sadly, elected officials have failed to demand that the fines paid by BP will actually go to gulf restoration, and locals are screaming.

As if adding insult to injury, BP wrote off the \$32.2 billion in clean-up costs, fines and the \$20 billion victim's compensation fund, slashing its liability by one third and giving itself a \$10 billion tax credit - at the expense of the US taxpayer! The industry and BP have begun lobbying for expanded offshore drilling, retaining the cap on oil spill liability and essentially keeping the nation addicted to oil. While professing a commitment to making things right, a compliant government sits in its pocket, failing to implement any of the meaningful recommendations proposed by the president's oil spill commission.

It is likely that grim reminders of this catastrophe will surface in the form of oil that is regurgitated out of the muck or from the sea floor regularly for years to come. BP is a corporation, but corporations are run by human beings. When basic morality is routinely violated by individuals shielded by immunity from prosecution, perhaps the only hope left is that the offending industry will someday be abolished. Green energy must replace fossil fuel consumption. BP's DWH tragedy has taught a very painful lesson: that neither governments, the environment nor individuals will be a deterrent amidst the blinding pursuit of profit, and that today, it's still "business as usual".

The Faroe Islands

By William Rossiter, CSI President

The Faroe Islands' millennium-old grindadráp slaughtered 1,107 pilot whales and 35 white sided/beaked dolphins in 2010, and another

41 pilot whales were slaughtered at Vestmanna in early February. The international response to this savagery is brewing, forecasting a cha-

otic summer of potential confrontations. No one knows what economic and cultural changes the controversy may bring to this small, autonomous province of the Kingdom of Denmark, but it is not going to fade away.

CSI is participating actively in the controversy only in non-confrontational ways. First, we are part of a coalition of mostly European NGOs seeking dialogue and solutions directly with officials. Second, we are supporting a project that we hope will bring a helpful public perspective to the issue. If either one is even slightly successful we'll let you know more about them.

You know why CSI must fight this slaughter:

- It's archaic and unnecessary, as the nation's living standards are modern and high.

- It's a threat to humans, according to the Chief Medical Officer of the Faroese Food and Veterinary Agency, as the meat and blubber from the hunts are not fit for human consumption. An extensive study of three groups of children show less persistent contaminants for the youngest, suggesting the public has heeded the warnings somewhat. Indeed, we expect that mothers will lead the Faroes away from the tradition. But even as less meat was consumed, last year almost every group of whales or dolphins passing by one of the killing bays was attacked.

- It's not regulated adequately because, despite strong regulations and stronger tradition, some meat and blubber is sold, kills continue even when freezers are full and meat is dumped by the roadside, pro-

hibited species of whales and dolphins are killed, and just last July a slaughter in Klaksvik redefined how terribly horrific these drives can get.

- It's not supported by science. The Faroese Government asserts that there are 778,000 pilot whales in one stock or population, but even pro-whaling NAMMCO in 1997 stated there are several stocks, and no one knows how big the pilot whale stock is that is targeted by the Faroese. To them the hunt will be unsustainable when no more whales swim by.

- It's inhumane, beginning from the moment the groups of whales or dolphins flee in panic from the boats and noise, into bays where they may be kept crammed together overnight, through the killing spree where the bay turns red as some are gaffed and stabbed, while others see, hear and taste the slaughter until they too are seized and killed. Odd, isn't it, that even this slight description may make some of us shudder, while the Faroese killers feel pleasure wading in blood? What are they proud of?

It is that glaring gap that illuminates how far other modern societies have evolved since the Age of the Vikings, away from inhumane actions and towards recognizing our necessary relationship to the rest of life on Earth. The Faroese people seem to be struggling not to evolve for humane reasons, but they can't avoid marine pollution. They rightly blame everyone else for polluting their waters, but because of this they eventually must stop eating whales.

CSI, Right and Beaked Whales versus “SWEATER” and Navy Sonars

By William Rossiter

In January 2010 the Natural Resources Defense Council (NRDC), CSI and other organizations filed suit against the U.S. Navy and NMFS challenging the Navy's plans to build an Undersea Warfare Training Range (“SWEATER” in Navy-speak) off the coast of northeastern Florida. The lawsuit contests the irreversible and irretrievable commitment of \$100 million to construct the training range before adequately assessing the environmental impacts, considering a full range of alternatives, or completing the most basic surveys to determine the presence of marine wildlife under NEPA and the ESA. The legal delays have been frustrating.

Because only about 470 North Atlantic right whales are alive today NMFS has determined that the survival of the species could be threatened by the loss of a single whale. The Navy says their mitigations to prevent ship strikes from vessels on the range or in transit are “adequate”, that observers will see even submerged whales at night, in fog, in heavy seas...always. What they really mean is that, no matter what collateral damage is expected from sonar exposure, collisions with ships and entanglement in debris, they will construct a 500 square nautical mile permanent training range right next to the right whales' only known calving grounds and, without being limited by speed or conditions, plow right through the coastal route right whales have used for millennia. “Additional environmental analyses” are required before operating the range, but no one expects any analysis to stop the range. The most frustrating aspect to this is that the Navy knows they could do better, but they will not be told what to do. Under the label of “national security” our Navy seems motivated more by pride than service.

Our complaint was amended later with new claims and information, including the birth of a right whale calf (only the second right whale birth ever recorded) only a few miles from the boundary of the planned training range. The irony was that standard surveys in those

waters were very rare before the Navy was required last year, after finalizing its environmental impact statement (EIS) and selecting this site, to support surveying the offshore area.

After prolonged delays, in December and January we filed motions to compel completion of the administrative record and continue to brief this issue. Summary judgment briefing will commence 30 days after the administrative record is deemed complete.

The USWTR is a sonar training range. While there's no evidence yet that right whales are harmed directly by mid-frequency tactical sonars, CSI and many others have grave concerns about their potential harm to other marine life. Beaked whales in particular have stranded as a result of military sonar use, and no one has a clue how many cetaceans and other creatures have suffered and died without coming ashore. Out of sight should not be out of mind.

Along with whales CSI was one of the losers in the 2008 case before the Supreme Court, which ruled that the Navy could continue sonar training while they tried to develop better methods to protect the whales. One method has been to fund more studies. Science has been slow to help us understand why military sonars cause harm, especially to beaked whales. A study¹ published in March demonstrated why. It's hard to find beaked whales, much less document how they respond to sonar signals while foraging thousands of feet below the surface. The study accomplished all that and more, but very, very carefully, because no one wanted the experiments to cause harm.

The big picture is that, first, the tagged dense beaked whales, like the one below, stopped echolocating and began unusually long and slow ascents from their foraging dives when exposed briefly to simulated military sonar, killer whale calls, and band-limited noise. Before anyone assumes killer whales cause these reactions worldwide in beaked whales let's acknowledge that they each have been doing their thing



Photo courtesy of Colin MacLeod.



Photo courtesy of Colin MacLeod.

for millions of years, orcas are not often in the Bahamas where the experiment was done, and the beaked whales likely could tell that “simulated” wasn’t the real thing. So perhaps the novelty of the sounds cued the behavior. Beaked whale strandings worldwide increased dramatically coincident with modern mid-frequency sonars coming into use. While the tagged whales have heard real sonars before, many whales not resident on Navy ranges may hear sonar sounds as novel. Perhaps nature has left beaked whales especially vulnerable to novel sounds. These creatures live on the edge of pain and death from continual and extreme pressure changes, commuting to crushing depths just to eat, even sleeping over 50 feet below the surface. Are sonars pushing them over the edge?

Second, during actual naval sonar exercises all beaked whales appeared to leave the Navy training range and took days to return. This is defined by the ominous regulatory term “denial of habitat”, and could have population-level significance. According to the Precautionary Principle it should be assumed that this exodus from habitat happens whenever and wherever military sonars are used, but the Navy again as-

sumes that out of sight means out of mind. The cumulative impact on beaked whales, like this Cuvier’s beaked whale, may be catastrophic.

You might be surprised to learn that, despite evidence from events like the 2000 Bahamas strandings, the Navy has used the “National Security” big stick to do almost whatever they wish with sonars, to the Mid Atlantic, North Pacific’s dateline, and Gulfs of Alaska and Mexico. This has happened because NMFS has ignored public comments (including CSI’s) and rubber-stamped every permit application.

The bigger picture is that “Resolving these issues has importance well beyond beaked whales and sonar, as they call into question some of the basic assumptions used to predict impacts of anthropogenic sounds on wildlife.”¹ But the biggest picture is whether or not we can accommodate our needs to the rest of life sharing this planet with us. Our noise is just part of that, and we’re just getting noisier.

1. Tyack PL, Zimmer WMX, Moretti D, Southall BL, Claridge DE, et al. (2011) Beaked Whales Respond to Simulated and Actual Navy Sonar. PLoS ONE 6(3): e17009. doi:10.1371/journal.pone.0017009

Can You “Save The Whale” Archive?

By Daniel Knaub, CSI Board

What if you could go back in time and see every whale, dolphin and porpoise sighted on 17,096 whale watching trips from 1988 to 2003? Suppose you could study the behaviors of not only the cetaceans, but pelagic birds, pinnipeds, sharks and other marine life over this sixteen year period? This resource currently exists on 8,200 master tapes at The Whale Video Company.

The Whale and Marine Life Video Archive was created almost exclusively on the Gerry E. Studds Stellwagen Bank National Marine Sanctuary. Is this unique archive (8,800 hours) worth saving? What if it were freely available to educators, research groups and conservationists over the next 50-90 years, the estimated life span of some of the whale species documented?

You could watch every returning mother with her new calf. You could follow the calf’s behaviors in relation to its surroundings. Does it change behaviors when another whale comes close? What does it do when confronted with floating debris, plastic or seaweed? How does it act around boats? Does it feed in the exact method as its mother?

A digitized and annotated archive available on the web would pro-

vide an unprecedented resource for students and educators worldwide to search a date and time to go on a virtual whale watch. Imagine a thirteen year old student (born August 29, 1997) wondering what the whales were doing that day. She would view two humpback whales close to the boat playing what seems a game of tag and seeing who can stick its head out of the water the longest. Would it intrigue you to know that the whales were Thread and Tribble, both males and 14 and 7 years old?

The student might then search the archives to see if Thread did this before with other named humpbacks or only with Tribble.

The archive would be a treasure trove for anyone who adopted a named humpback whale on the East Coast. Search for Salt and you would find 1,000 different sightings of Salt, her twelve calves and eight grandcalves.

Visit Stellwagen Bank National Marine Sanctuary’s website and discover a list of the Top 50 humpback whales. You could search for video clips of each one to see the distinct tail pattern and observe how its behaviors may be unique. The total number of individually identi-



Thousands of master tapes need to be preserved.

fied humpback whales in the archive is approximately 500!

Research groups might use the archive to establish a pattern of behavior during feeding or travel. Are the same behaviors noted within a family group separated by four or five generations? Behavioral biologists would study the relationships and associations with other whales of various species. Culture exists within marine mammal species and this invaluable archive would provide tens of thousands of annotated associations.

Dr. Roger Payne of Ocean Alliance noted, "The thing that gives this archive most value is that for the most part, it represents information on known individual whales. Thus, they constitute data on the behavior of hundreds of individually identified humpback whales, and make it possible to see with what other humpback whale individuals they associate as well with what other marine species. The tapes offer particularly valuable information about social interactions between females and their offspring as well as on variations in feeding behaviors. Humpback whales exhibit considerable individual difference in their feeding techniques (suggesting considerable inventive skill), something these tapes show well."

"I think that this material would be useful to the scientific community for future study and analysis, and for obvious reasons would be best archived in one place. Some of these whales may be alive for decades into the future, and a record of their earlier behavior and how they subsequently adapt to the major changes we can expect from climate change, pollutants, prey availability, etc., would be of value in measuring the effects on this species as it adapts or succumbs to new



stresses."

Several problems currently exist that put the archive in jeopardy. The entire archive exists only on the original master tapes. The oldest tapes must be digitized soon or they will be unplayable due to age. The archive is also susceptible to fire, water and storm damage.

What can you do to help? One person's idea created the archive, one person's contact may just help to preserve it.

There are many ways to raise the required funds and perhaps you know someone that will help. My preferred method would be to educate millions of children about the whales through a consumer company providing a promotional DVD. It would demonstrate the unique nature of whales and why whales are deserving of special protection. Many industries use premiums and promotions including cereal, snack, candy and fast food chains. Another avenue would be a large bank willing to create and send inserts with credit card statements.

Do you know someone in the broadcast or print media that might bring this story to the general public? An article by *Parade Magazine*, *National Geographic* or *The New York Times* would be appropriate.

Just one of the world's billionaires with an interest in the environment or education could easily establish funding to preserve and publish the archive for the entire world to use forever.

Follow this link for detailed information and view a video clip with rare and outstanding views of the marine life included in the archive.

<http://www.whalevideo.com/archives.htm>

Daniel Knaub, CSI's Media Director is also the Executive Director of the Whale and Marine Life Video Archive, Founder/Owner of The Whale Video Company and a Google Ocean Contributor.

Cetacean News

Can We Still Afford to Protect the Environment? This was Google's first listed link on Earth Day No. 41! We all must focus on answering this key question now if we want to succeed in the future. Data on environmental issues must include convincing arguments for derived economic benefits, preferably by short term. Long term impacts sadly seem irrelevant to politicians and regulators.

The Beluga Whales of Cook Inlet, Alaska will benefit from a long-awaited Critical Habitat designation by NMFS in early April, several long years after the 350 surviving whales were listed as Endan-

gered in 2008. NMFS had reviewed more than 20 years of research before completing an economic analysis, which found that benefits of the designation to beluga whales exceeded the costs. See Google, above.

Washington State's Southern Resident Orcas of Puget Sound will benefit from NMFS rules finally imposed on vessel traffic beginning mid-May. The population had declined from 97 in the '90's to 79 in 2001 before being finally listed as Endangered in 2005. Today's population is about 86, with every new calf greeted with fanfare, every missing individual given a few years before being assumed dead, and

every boat in the state demanding to get close. The whales are struggling with a shortage of Chinook salmon, vessel disturbances, and water pollution. The rules put a 200 yard limit on boat approaches, and prohibit vessels from intercepting or positioning in the path of a whale. All motor boats, sail boats and kayaks are affected in Washington's inland waters. Effective enforcement remains problematic. The proposed no-go zone along the west of San Juan Island was not included, due to "extensive responses that were received during the public comment period." It is appropriate to add here that the number of public comments opposed to sonar permits have never swayed approvals.

Bolivia's A Ley de Derechos de la Madre Tierra (The Law of Mother Earth) grants nature the same rights as humans. Specifically, the law will establish 11 new rights for nature, including the right: to exist; to continue natural cycles; to clean water and air; to be free of pollution, and the right not to have cellular structures altered or genetically modified, or be affected by mega-infrastructure and development

projects that affect the balance of ecosystems and the local inhabitant communities.

Help save right whales: buy a door-mat. Marigold, a happily wet Golden Retriever, is doing her bit to help right whales by modeling an extremely durable, all-weather and colorful doormat recycled from bottom line lobster gear rope! This is one of the innovative ways the Gulf of Maine Lobster Foundation's Bottom Line Project has recycled two million pounds of "floating groundline", proven to be an entangling threat to right whales and other marine mammals. The enthusiasm with which this fishery has embraced the need to protect the whales is a model for all. You can find mats and more at www.gomlf.org, and you don't need a wet dog to buy one.



Whale Watching

By William Rossiter

Whale Watch! Magical words to most of us, conjuring up very memorable and personal experiences with whales, dolphins and porpoises (they're all whales). Yet can you believe it; commercial whale watching is not even 40 years old! It's come far from 1973, when my wife and I couldn't get anyone in Lahaina to take us out to the humpback calf breaching offshore. Look at Lahaina now! The business has evolved explosively, now offering worldwide experiences with species, habitats, and human cultures anywhere humans can survive. From tiny river dolphins in Bolivia, singing belugas in Canada, humongous blue whales off California, Chilean dolphins, even to the Northern bottlenose whales of the Gully (see notice elsewhere), your opportunities are growing. But the original locations may still be the best, especially for the vast majority of us.

Here's our unabashed plug for our well-deserved favorite, the Dolphin Fleet of Provincetown, MA, the originator of East Coast whale watching, and perhaps the best in the world. In our view the Dolphin Fleet remains on top in part for the way some whales interact with the boats. It's not about the food, price, or seats. It's about how the whales behave towards your boat, which demands a captain and naturalist who truly know the whales and waters, and want to share the very best with you. We'll add that if you want to learn the best from the best, the Dolphin Fleet's Research and Education Director is Dr. Carole Carlson. She's also associated with the Provincetown Center for Coastal Studies and the College of the Atlantic, and has facilitated whale watch and educational workshops all over the world.

Cape Cod's whale watch season began on the beaches in mid-April, as almost half of the all North Atlantic right whales alive today foraged near shore, mostly from Race Point to Truro. Because whale watch boats are required to stay 500 yards away from right whales, beach combers and picnickers might have been closer to some whales! They came to feast on unimaginable numbers of their zooplankton prey, probably *Calanus finmarchicus*. Just to survive these enormous creatures must find prey 1/25 of an inch long in patches dense enough to make it worth their while just to open their mouths and swim. Apparently what the whales found this April was a true feast, and within a week perhaps 200 whales had joined the party. When the plankton bloom collapsed the whales left within days. Last year about a third of the population gorged on zooplankton in Rhode Island Sound, South of

the Cape.

Looking a bit farther way, shore based right whale watching is a specialty of Hermanus, South Africa, where southern right whales come very close to the shoreline from July to October and the Hermanus' "whale crier" walks the streets announcing where whales have been seen. Brazil's National Right Whale Capital is Imbituba in Santa Catarina, celebrating Right Whale Week in September, when mothers and calves are abundant. The difference with "our" right whales is that there are only about 470 alive today.

Whales are watching us too! The evolution of whale watching has been directed by whales. The most successful operators are the ones that do their very best to please, and certainly not harass whales. No matter where someone wants to start a whale watching operation they have to behave properly or failure follows quickly. Of course there always have been problems. That's why CSI started working in the late 70's to make whale watches better. Almost anyone can run down a whale, or run over them, or simply not care about anything but making money, but a sustained operation that draws knowledgeable or repeat clients first must satisfy the whales.

Ideally, every person experiencing a good whale watch will come away knowing and caring so much more than they did at the start, but some people just don't get the message. So be it, because there are many readers of this newsletter who would testify that seeing their first whale was a life changing event. In future years the same will be said for the growing number of swim-with tours, which are still evolving and deserve extra care and scrutiny.

What might it be like to swim with humpbacks? Ruth Samuels of Florida recently sent us this account: "January 29th to February 4th, I went whale watching and snorkeling with the humpback whales off of the Dominican Republic. The whole experience was so very positive I felt that we were in a dream. The most important factor was the respect the crew displayed towards the whales. The whales were most accommodating, as the calves would swim up to us, curious I suspect, as to what wiggly, small 'corky' things were bobbing in their ocean (us snorkelers!) Then the 'Mom' would gently follow along, emerging out of the blue-grey, much like a submarine with a huge brain! I had the distinct impression that she knew her offspring was safe, but she was keeping an eye on us anyway..."

"Occasionally, we'd just drift in the water watching them as they watched us. It was so awesome to see these enormous whales glide effortlessly through the water. As you may know, their eyes are huge. As they looked at me I felt they could see right into my soul... It was a humbling experience that defies description. The whales were so graceful, so aware of us, so gentle towards us. As they would slide by I would be mesmerized by their eyes, then distracted with the thought that their 14 foot pectoral fins passing even closer to us. Frequently, I back-paddled, just so that I knew there would be some clearance! Experiencing their power and beauty repeatedly left me speechless. The crew and guests would get out of the water and just look at each other in near disbelief. We repeatedly were having wondrous encounters with these intelligent, huge marine mammals. Our eyes would be shining, occasionally we'd be giggling, which was combined with statements like, 'wow, that was so fantastic, indescribable!'

"The crew was pleasantly vigilant. They watched the behavior of the whales, and they would only let us into the water if they felt that the whales would not be disturbed. They were very accurate in their assessments, and I felt that, consequently, we were not intrusive, or at risk ourselves of getting in the whale's way!"

Look again at the remarkable image on the back cover of this newsletter. That mother humpback is gently approaching the photographer, who's on a carefully controlled swim-with tour to Silver Bank from the Dominican Republic. This whale is making quite a statement as she introduces her very young calf to this odd looking creature, which she accepts as benign, maybe interesting, and perhaps even significant. Why? Humans have no survival value to her. Well, yes we do, as we change her ocean and threaten her habitat, but if she knew that wouldn't she stay clear of such a horrible creature? Wouldn't you like to know what's on her mind? That, for good or bad, is one of the reasons for the rapid growth of swim-with programs. To some people the eye-to-eye experience is the ultimate commune with Nature, or to understanding themselves. But it's not about us. It's about them.

Before we fiddle with the mysteries of how humans think about their perceived world, let's think about where this is going. Swim-with whalewatching isn't like any other in-water ecotourism, and it's unstoppable. Whales think. Wild whales have the option of leaving as people arrive, and most often they do. So let's assume, except for the sham operations where semi-captive dolphins are trained to interact with people, that self-selecting wild whales choose to interact with humans. Why do they tolerate us? Most sentient beings exhibit curiosity; it's a survival necessity. An approaching humpback with her calf is curious in a very different way, hard to describe, very challenging to the claim that humans alone are curious for its own sake, for the pleasure

sure and knowledge it brings.

For millennia whales like this humpback have approached small boats, signaling only benign, playful or curious intent. Today people that find themselves this close to whales expect to be awed, not harmed. The fearful sea monster image has been replaced with awareness, trust and excitement, and for some an interactive opportunity not found with other animals. Compare this moment with another: You are alone on a grassy plain in Africa. An elephant with her calf is slowly approaching, signaling no danger. But you will feel fear; it's in all of us. Why wouldn't you also fear a humpback, more massive than several elephants, and just as potentially lethal?



So what are these three whales doing? Humpbacks are the favorite whales of many whale watchers because of their exuberant breaches, dramatic feeding, and playing with boats, but these three stayed nearly motionless for long minutes. Watching very careful from above them it was possible to see slight ripples spreading out, as if the whales were making sounds. Of course there was no way to prove it, and the skeptics would demand they were just resting or "logging" in the lee of the boat. You had to be there, and even then you would not have understood. Certainly this picture doesn't tell the story.

Speaking of pictures, would you mind some advice from someone who's taken whale photos since 1973? Don't! Really! Don't take the picture. Your chances of snapping something really awesome is minuscule, and the instant you put the camera in front of your face you will lose the moment. Watch, savor and remember instead.

Speaking of the best pictures, we must celebrate the work of Bryant Austin, whose photographic exhibition *In the Eye of the Whale* has been shown in Norway, Chile, Japan, Spain, and most recently the United States. Putting aside all the technology and resources that made this image feasible, and even the technical and creative genius that Austin



Photo courtesy of Bryant Austin.



demonstrates, it is the whale that made this picture, and who moves us to relate and care. It is likely whales have been ready for this sort of interaction for a very long time, and obviously Austin understands how to make the most of the moment.

Where will all this go from here? Imagine being surrounded by frolicking dolphins, or diving alongside a foraging blue whale, or witnessing the birth of a humpback, all holographic surround-imagery, computer generated or something not yet invented, with engulfing sound that makes you quiver, while you stay dry and warm in your living room. Even today's documentaries display the world of whales far better than any of us will ever experience it. Virtual whalewatching will reach many more people than the real thing, but there will be those who want to see every species in person. Birdwatchers have to see thousands of species, but there are fewer than 90 cetaceans. As a useful challenge to that special class of whale watcher start with species not likely to be here in your grandchildren's time. For example, is it worth

a hefty donation to vivavaquita.org to help the species survive, and perhaps get to see one of the 240 living vaquita? Go for it!

Here's another rare opportunity: Tour Sable Island and the Gully! Hal Whitehead has asked us to announce that one space remains open for a once-in-a-lifetime opportunity to see Northern bottlenose whales, the famous Gully Marine Reserve and remote Sable Island, off Nova Scotia, Canada. The naturalist on this trip will be one of Hal Whitehead's graduate students with years of study in these waters. These waters teem with whales and dolphins, birds and wildlife; an extraordinarily visual place to visit! The days spent at Sable and the Gully are weather dependent, but the tour will plan for approximately two days at each. Depart: Canso evening of June 24th. Disembarkation: Saint Pierre June 30th Thursday, June 2011. The cost is C\$2,500.00, plus cancellation insurance and medical evacuation insurance. More details of this adventure are at: www.sacajaweatours.com and Jennifer Modigliani can be contacted at sacajawea@ns.sympatico.ca or phone: 902-532-0279.

Listening to Humpback Whales

By Paul Knapp, CSI Board

Listening to Humpback Whales has just been released on itunes, and Amazon mp3s, soon on CD. Recorded near the Virgin Islands, its 19 tracks attempt to show the great singing beauty and singing variety of just one population of humpbacks, the Western North Atlantic. Worldwide, there are several populations.

In 25 years of listening and recording, I've taken out more than a thousand friends and listeners in my 13 foot inflatable boat; and by necessity I've become a self-taught whale listening guide. The basics on each trip include of course, life jackets for everyone, and: a hydrophone demonstration before it goes over the side and down 50 feet; an explanation about the ever present crackling pistol shrimp; judging of distance to the whales we are hopefully hearing, based on volume & detail; and making a good guess at the number of whales. More things too, but that's probably enough here. Sometimes though, it seems there's just shrimp, and maybe boats out there.

Here in this spot, February whales are stable singers; they don't move around too much. So if singing is good and close one day, there's a very good chance of the same on the next day. By March the singing whales move a lot more. Towards the end of March, you may hear silence one hour, and great singing the next. This is also the time when chorusing is more likely, though often distant.

To make the CD I first cataloged all my field recordings of cassettes and digital tapes totaling more than 72 hours, and which were stored in a medium sized box. Next, they were digitized and made into a computer playlist. Then everything was put on an ipod for mobile listening and for choosing segments where the whales were not too far, and the shrimp weren't too loud, and there was something interesting happening. And surely lots and lots more to do in order to make a master for duplication.

So the CD came out a bit like you're at sea on numerous listening trips, hearing great variety and interesting singing, 1988-2008, though not all those years are on it. Tracks include: Singing in Harmony, Several Whales, Three or so Whales, One Humpback Whale, Chorus Slowing, Little Beat, Close and Further Away, The last is: Pistol Shrimp, Splashing Boat, Some Wind, and a Whale Sounding Train-Like. Tracks are in chronological order, even when recorded on the same day. I hope there is something you like.

<http://itunes.apple.com/us/album/listening-to-humpback-whales/id429446953>

http://www.amazon.com/gp/product/B004UJRLJ0/ref=sr_1_album_11_rd?ie=UTF8&child=B004UJRLLI&qid=1303076802&sr=1-11

Whale Love

Love Like God is a new book about unconditional love by Caroline A. Shearer. Based upon personal stories from inspiring women, one of the chapters, "Whale Love", was contributed by CSI Director Leesa Sklover-Filgate, Ph.D. in clinical psychology, music therapy, research in the brain and sound and work focused on communication and the trans-species bond.

As a little girl, I would often sing the Leslie Bricusse lyrics from the musical Dr. Doolittle: "I do not understand the human race. It has so little love for creatures with a different face. Treating animals like people is no madness or disgrace. I do not understand the human race".

The musical's "Rex Harrison" was my inspiration. He made me believe I could talk to and think like animals. The film showed him as

he found the giant, pink sea snail with the assistance of the dolphins. I wanted to have them help me, too. It seemed possible to speak to them non-locally, telepathically, from a place of love within a heart-centered reality.

That heart-centered reality exists and is based on Pearsall's energy cardiology, which suggests that the heart is the conductor of communication and hums with the cells of the being with whom we are engaged. Today, as a researcher and advocate for cetaceans in the wild, the living cells in my heart commune with the heartsong and cellular connections of the moving cetaceans.

I have been blessed with the amazing gift to see images and hear the feelings of other moving beings. I am told I am a bridge, which represents inner worlds that may not meet. I was a receptor even as a

child. In my twenties, my ability was validated through a telepathy experiment I was in on "Nightline." It proved I could see images, at a distance. My validated ability brought with it new confidence, and I was able to sense the feelings of animals with greater ease.

The cetaceans use sound and touch for expressing themselves socially. Through these senses, they can express tenderness and anger. Housed within their giant brains is a capacity for intelligence and emotion that equals or surpasses our own. The use of echolocation, communication at a distance, clearly indicates their intuitive ability to trust a much larger world environment than the microcosm in which man involves himself. When I connect with and commune with the cetaceans of the world, I try not to put my humanness on to them. Mirroring what they present is how I honor and love them.

The animals of the Palaeolithic period carried the wisdom and the secrets of life. The wisdom of animal medicine considers them the "secret keepers." I find this is true when I am in their company over a period of days. Together, we experience time on their terms and commune with one another in an altered reality.

In many of the societies where animals are honored and communed with as moving beings, the humans experience major psychological trauma when they have to kill their fellow creatures for food (a subsistence practice separate from the whaling trauma occurring in Japan and Norway.)

Myths were created to help man come to terms with the murder of their soul friends. Dolphin Medicine is what Native Americans and aboriginal-mystical cultures refer to as the qualities of the dolphin that is part human.

Throughout mythology, the trans-species link between man and dolphin has been expressed. The merpeople of Mu, off the Hawaiian islands, were forced to transform into part dolphin in order to save themselves. This dual body has become the mermaid symbol. The Minoans see dolphins as having a direct genealogical link to humans. The Cretans saw the dolphin as God. No wonder we feel a hypnotic, altered state in their presence; we have believed in our connection for millennia! And, it isn't just a myth - we can communicate with cetaceans. They hear us. My friend, President of Cetacean Society International Bill Rossiter, shared a story with me of the time when a sperm whale called "Physty" responded to the Bach my friend was playing. When Bill asked Physty, "How do you feel? What do you want?" the whale responded by moving to the net that led out to the open ocean. This is just one example of a number of stories.

I wrote a play 25 years ago called, "When Parallels Touch" in which I shared how human relationships from two very different worlds/cultures share common emotional experiences. Human-nonhuman relationships are meant to honor the dolphin from the dolphin's point of view and to represent the whale from the whale's perceptual world. I am aligned with the animals' psychological and emotional comparability. The reality and non-linear reality of my experiences with these beings created in me a life-long love affair that arose the moment I first met one. My imprints of their messages remain in me forever.

One experience, one look can steal your heart. I remember saying, "I am in love" when I saw the beluga I worked with in Canada with a group that protected lone cetaceans. That whale came back to us daily in search of company. He would swim to the side of the boat, tilt his head, and look at us eye to eye. It was the peak of interspecies love! I felt the same ecstatic connection as when I love another human.

That whale still haunts me. Many things came from my heartstrings humming for those days out there with him, in the fog. Looking for him, seeing him follow our boat until he could not keep up, realizing the heart-wrenching reality that I would not be back the next day. He would be out there in the sea alone for a long time, forever, alone in the blue. I felt the heartstrings left behind. At night, I sometimes dream

about him. In my dreams, he is alone in the harbor with only the bell buoy to comfort him. It breaks my heart to have had to leave him. The sound is what he connected to as his mother, as his family. The only way I could manage was to write about my experience in the fictional novella, "Belugaman".

Though I have grown and worked in integrative medicine, psychology, music performance, music business, music therapy, academia, and ecopsychology, my longing to be Dr. Doolittle has never left me. In my opinion, the best way to realize my dream is through music. By becoming a music-therapist/singer I have been given a new language to express my ability intuitively in human healing and in the cetacean world. I call what I do transsing because out loud or inside my mind, I send a vibroacoustic message in the same way a bioelectromagnetic field is emitted and used in energy healing.

The cetacean is a superior being largely beyond our grasp. I honor that being's inner psychic world, and this sense of honor allows me great insight into the nature of reality. It is what I encourage in my work with humans: the ability to listen in silence to an inner psychic world. I feel that this trans-humanimal bond is best expressed in sound, intuitive reception, and bi-unicommunication.

Once, I was in Hawaii singing to, hearing, and swimming with an approaching pod when it occurred to me that this was how they were meant to be experienced. In partnership with Jim Nollman, I made music that honored the cetaceans and sang with them on their terms. I learned that what they present can only be mirrored; I cannot begin the song.

Studies show that depressed individuals who have had contact or seen an image of a dolphin feel better. But, it is not their purpose to make us happy. There must be ways to learn from their essence, without imparting our needs on them. I must listen to the inner music within them and not push my song or agenda on them. I must mirror them where they are.

I am guilty of my past experiences: swimming on the backs of dolphins two at a time in Mexico, holding on to a fin in Florida, touching soft, blubbery skin. As a child, I would pet them in lagoons. Once, I touched a Beluga tongue at an aquarium. While I cannot deny the thrill these experiences gave me, once I could hear them, I realized they held a great sadness. This realization made me feel the need to free them.

Years later, I found myself doing just that, in combination with environmentalists and scientists as research director of the Cetacean Society International. Unconditional love of these free and wild beings means that we must leave them alone and watch from a little further away most of the time.

Although they may be difficult to comprehend, there are endless stories of attempts from both sides to bridge the divide between the cetaceans and us. The San Francisco Chronicle reported a story of men who rescued a drowning humpback trapped in crab traps. They risked themselves to free the whale. Afterward, the whale swam about them in joy, nudged each person in thanks, and watched every move of the man who cut the cord.

My moments of whale love have led me to give back. Perhaps the more we know, the more we can rethink our ethical landscape and love and understand them from their perspective. It is hard to know what they feel. I continue the attempt as a way to give back what they have given me.

The field of trans-species psychology, developed by G.A. Bradshaw, creates the cognitive and emotional model of behavior for all animals, including humans. She links the inner world of humans and animals together in a place of equality. I bow to the

whales and dolphins I have known in the wild and in captivity. They are their own divine species with unique thought forms, senses, and feelings. Yet, despite their uniqueness, many of their feelings are the same as ours.

In response to my experience with these beings and the experiences of others, I have conceived the “1 Whale - 1 Child Project” with an educator, a film and learning experience for children to teach them about lone cetaceans. Ideally, the project will serve as a means to transbond and share mythic stories of lone cetaceans throughout the world. Humans could then align their personal

mythology with passion and a goal of living without harm to the cetacean by avoiding any real-time contact with the whales and dolphins in captivity.

I am challenged by skeptics who ask me, “What’s the point? How can a whale love?” I say, “With that magnificent brain and beautiful heart, how could they not?” Seeing the perspective of whales and dolphins as best I can is my life’s work. We need to understand that the trans-species perception is not just our own - loving with the other’s eye is the true meaning of unconditional love.

Beluga Song Adventure

In Churchill, Manitoba, Canada, on August 1 to 6, 2011, Blue Waters Adventures' John Granatir and Ecoblue Creative's Leesa Sklover, Ph.D. will host a very specialized Beluga whale ecotherapy experience with the below mentioned happenings as well as a Spiritual and self exploration including yoga therapy, guided imagery, music and journal therapies, Trans-species communication exploration... Connection and appreciation of Belugas every day. Includes five nights at the Lazy Bear

Lodge, Churchill, MN; three-hour boat tour to see and interact with friendly Beluga Whales; three-hour snorkeling tour with the Beluga Whales; three-hour kayaking tour with the Beluga Whales; three-hour Cultural and Heritage Tour of the Churchill area, including historic Cape Merry; welcome and farewell dinners at the Lazy Bear Café; Naturalist tour guide. For more information: <http://www.bluewatersadventures.com/>

Book and Video Reviews

By William Rossiter

The Voice of the Dolphins, by Hardy Jones, should be available by the time you read this. Read it to be inspired by his decades of leadership saving and documenting dolphins, but most especially for the link he makes between his personal struggle to survive chronic mercury poisoning and multiple myeloma, and his quest to stop the slaughterers in Japan, the Faroe Islands and elsewhere with evidence that eating dolphins and whales can be dangerously unhealthy. You've seen *The Dolphin Defender*, his award winning documentary, and you may know of his personal awards, but after you read *The Voice of the Dolphins* you'll agree this book should be an award-winner too.

The Mermaid and the Dolphin, written and directed by Ran Levy-Yamamori, is an animated video and children's book that deals as delicately as possible with the slaughter of dolphins and whales worldwide. Told through the eyes of a fisherman's daughter in a place where they kill dolphins every year, it expresses with compassion how being awakened to the beauty and importance of the life around us can transform the impact of our choices. The animated video can be viewed at <http://www.youtube.com/watch?v=0OjLyIFAEWI>. It's available as an iPod/iPad/iPhone application, and will be available in English, Japanese and Danish. At the end of the animated video, viewers can sign a petition which will be sent to the relevant ministries and authorities in Japan and Denmark, as well as to conservation and welfare organizations the world over.

The Great Sperm Whale, Natural History of the Ocean's Most Magnificent and Mysterious Creature, by Richard Ellis, shares everything the author has learned during decades of fascination, almost reverence for this truly magnificent whale. He explores the sperm whale's evolution, physiology, anatomy, behavior, and ecology, as well as its future. One reviewer recommended the book as a companion to *Moby Dick*, but I suggest it's closer to the real whale expressed in the elegant writings of Dr. Hal Whitehead.

The Tempest's Roar, by R.A.R. Clouston is a fantasy for whale-lovers about how humans are affecting Earth's Seven Seas, which the Beings we call dolphins, whales and porpoises call Planet Ocean. Some of the Beings won't take it anymore, and... Read and understand why "when your journey is done, you will never again look upon the oceans that surround you through the same eyes, or think about the whales and dolphins who dwell within them with the same mind."

Notes

- **Individualized photographic certificates** are now available for new CSI members. If we know their favorite species of whale or dolphin we will use an appropriate and dramatic image as a background. These are particularly suited to gift memberships, so if you know of someone who might enjoy being part of CSI please let us know.

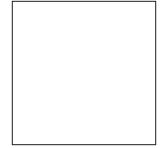
- CSI's educational flyer on cetaceans in captivity is still available. We will be glad to send one as a sample to anyone who requests it. Contact: CSI, P.O. Box 953, Georgetown, CT 06829 U.S.A.

- Current and previous issues of *Whales Alive!* as well as our Photo Gallery and other features can be found on CSI's web site. Check it out at:

csiwalesalive.org

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FIRST CLASS MAIL



Humpback Whale with Calf