

January 12, 2006

Coast Guard
Captain of the Port
MSO Jacksonville
Suite 400
7820 Arlington Expressway
Jacksonville, FL 32211-7445

SENT VIA FACSIMILE (904) 232-2664

Dear Sir,

Pursuant to 33 CFR 165.5, Public Employees for Environmental Responsibility (PEER) respectfully requests that the United States Coast Guard establish a safety zone in order to protect the critically endangered North Atlantic right whale.

Person making request: Kyla Bennett, Director, New England PEER

Location and boundaries of requested safety zone: An area encompassing the approaches to Jacksonville, Florida, seaward to the eastern boundary of the Mandatory Ship Reporting system (or the extent allowable by law, whichever is greater).

Date, time and duration of the requested safety zone: Effective immediately, through April 15, 2006.

Description of activities planned for safety zone: Not applicable.

Nature of restrictions desired: Only vessels traveling 12 knots or less will be authorized to enter the safety zone.

The reason why the safety zone is necessary: On January 10, 2006, a right whale calf was found dead off Jacksonville. Its injuries are consistent with a ship strike. Given the critically endangered status of the North Atlantic right whale (with only 300 – 350 animals remaining), together with the vulnerability of the newborn calves, and the Potential Biological Removal (PBR) of zero assigned to the species by the National Marine Fisheries Service, PEER believes that a safety zone must be established immediately. The safety zone is for environmental purposes (prevention of mortality and serious injury to North Atlantic right whales), and can be lifted once the animals migrate out of the area. The survival of this year's cohort of calves is essential to the ultimate survival of the right whale species.

This request for establishment of a safety zone has been made orally, via a telephone call to the Chief of Port Operations for the Port in Jacksonville. I spoke with Lieutenant Commander Jerry Barnes, who stated that he would pass the request up the chain of command. This written request is also being faxed to the District Commander's office within 24 hours of the oral request. Due to the critical nature of this request, time is of the essence, and PEER requests an expedited appeal process should this be denied.

Thank you for your attention to this matter.

Sincerely,

Kyla Bennett, Director
New England PEER

cc: via fax to District Commander (305) 415-6875