



# Whales Alive!

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## The Good, the Bad and the Ugly – The 62nd Annual Meeting of the International Whaling Commission

*By Jessica Dickens and Heather Rockwell, CSI Board of Directors*

Where should we start with regards to writing about our recent trip to Agadir, Morocco to attend the 62nd annual meeting of the International Whaling Commission (IWC)?

Getting to Morocco was relatively easy, albeit Jessica's luggage took the long way by camel and was delayed by a day. The backdrop for our meeting was the beachside town of Agadir, a traditional Muslim community that has become a major tourist destination for European travelers. Like many Caribbean countries, Agadir's shoreline is lined with hotels, resorts, restaurants and tacky tourist shops. It was not uncommon to see local women dressed in traditional head-to-toe Muslim attire walking next to bikini-clad visitors. We saw camels walking along the highways and goats balancing themselves in argan trees (honestly, if you don't believe us, google it).

Before we arrived in Agadir, the meeting had generated quite a bit of press. Rumors swirled about yet another vote buying scandal; the mysterious illness that prevented the current Chair of the IWC, Cristián Maquieira of Chile, from attending the meeting and leading the discussions on the future of the IWC; and several NGOs

(Non-Governmental Organizations) breaking ranks with the rest of the anti-whaling groups and working with the U.S. government to get the Chair's Proposal passed.

Evidence of the "Good" in Agadir appeared at the international NGO meeting that took place on Sunday, the day before the annual IWC Plenary meeting began.

There was a huge turnout for this annual meeting where the NGOs discuss issues, strategies and events relating to Plenary week. Over 75 NGOs from around the world were in attendance and many new faces were in the crowd this year – evidence that the efforts and resources CSI has invested to get more Latin and Caribbean NGOs to the IWC meeting had paid off.

The U.S.-based NGOs, collectively known as WhalesNeedUS (WNUS), had a meeting on Sunday

morning with the U.S. delegation that can only be characterized as "Bad." This was the first of many meetings throughout Plenary week where the U.S. delegation was evasive to our requests and concerns, as well as being extremely patronizing. An article was published in the London Times on Sunday morning charging that the current Acting Chair, Anthony Liverpool from Antigua and Barbuda, had received perks from the Japanese govern-



**Welcome to the IWC/62/Agadir conference center.**



Goats eating fruit in Argan trees.

ment at this meeting and over the years, along with his fellow Caribbean delegates, in exchange for their cooperation and votes. Even though many of the NGOs asked the U.S. to look into these allegations and question the integrity of the Chair, the delegation was reluctant to address this issue. Given that vote buying, bribery and corruption have contributed to the

### ***Whales Alive!***

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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.

Cetacean Society International  
P.O. Box 953, Georgetown, CT 06829 U.S.A.  
Phone: 203-770-8615 Fax: 860-561-0187  
E-Mail: rossiter@csiwhalesalive.org  
Web: [csiwhalesalive.org](http://csiwhalesalive.org)  
CSI is a member of WhaleNet

President: William W. Rossiter  
Vice-President: Brent S. Hall  
Secretary: Jessica L. Dickens  
Treasurer: Barbara Kilpatrick  
Director Emeritus: Robbins Barstow

current impasse problems at the IWC, the U.S. was willing to turn a blind eye to this scandal and more determined than ever to make the deals and concessions necessary to ensure that the Chair's proposal on a way forward for the IWC (and a step back for whales) would succeed.

The opening day of the IWC Plenary session began with an entertaining performance by local Moroccan folklore dancers and musicians. After a few opening remarks and the obligatory coffee break, Acting Chair Liverpool suspended Plenary and called for private negotiations to take place Monday afternoon and all of Tuesday, with Plenary resuming on Wednesday morning. Given the many issues that have divided the IWC and caused this supposed impasse, the next day and a half of closed door meetings would give Commissioners more time to see if any progress could be made on accepting the flawed Chair's proposal. The proposal includes many contentious issues: the lifting of the moratorium on commercial whaling for the next ten years; the illegal and bogus research whaling by Japan in the Southern Ocean Sanctuary; the illegal trade in whale products by Japan, Norway and Iceland; the incomplete Table #4 with the actual numbers (quotas) of whales to be taken by the current whaling countries; and the problems with Japan's special permit whaling. Although NGOs were banned from these closed door proceedings, we learned that the meetings were set up like speed dating events with blocs of countries (Latins, European Union, etc.) being visited and lobbied by whaling countries and associated allies working to push through the Chair's proposal, including the U.S.



**Hear No Evil, See No Evil, Speak No Evil - our many Buenos Aires Group friends show their displeasure at being shut out of Plenary proceedings on Day 1.**

This "Ugly" move to once again close meetings to observers by the Acting Chair was brought up during one of our meetings with the U.S. delegation. Given that the WNUS NGOs, who represent anti-whaling, conservation organizations and millions of their members worldwide, travel all the

way to these annual meetings and have combined scientific and legal expertise on many of the issues being discussed only to be shut out of the meeting, is unacceptable. We pay ridiculously high fees and travel expenses to attend these meetings and listen to the same old tired, long speeches and rants from the whaling nations and their allies. NGOs are relegated to the back of the room and to one, 30-minute slot of speaking time during Plenary. U.S. Commissioner Monica Medina's response to these points being brought up by DJ Schubert, our NGO representative to the U.S. delegation, was "we have heard your position loud and clear." What a slap in the face to the WNUS NGOs from our own commissioner. Instead of working with and listening to us, it seemed as if the U.S. delegation had their own agenda and regarded us as an annoyance, something akin to the vuvuzelas, the instruments heard loud and clear at the World Cup games played in South Africa (which was constantly running on the insanely large projection T.V. in the Atlantic Palace Hotel lobby with various delegates and NGOs sitting around and cheering on their favorite teams).



**Your official CSI delegation to IWC/62/Agadir - Jessica Dickens and Heather Rockwell - sitting at tables with flowers. NGOs have not had tables to work on at an IWC annual meeting since Hammersmith in 2001.**

Another "Good" event took place once Plenary reconvened on Wednesday. The collective group of Latin and Caribbean NGOs – commonly referred to as the Buenos Aires Group - held a press briefing on the benefits of whale watching and tourism to Latin America and Caribbean countries. Over the last 15 years, more than 1.4 million people generating more than \$278 million in total income have traveled to these southern areas to observe whales and dolphins in their natural habitats and thereby contribute to the non-lethal research of cetaceans. This declaration by tourism operators of cetacean watching of Latin America and the Caribbean was introduced by Roxanna Schteinberg of Argentina, Lilianna



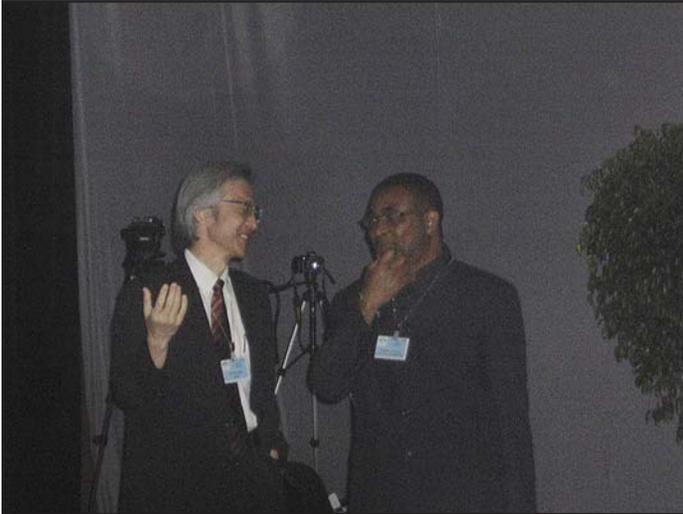
**The new unbelievably energetic, passionate and whale-friendly Brazilian Commissioner Fabio Pitaluga.**

Fernandez of the Dominican Republic and Rodrigo Pingaro of Uruguay to the press and interested delegates, and it was also submitted as an official document to the Commission by Uruguay. What a great victory for the whales and our hard-working friends in the Buenos Aires Group.

The U.S. delegation tried a sneaky, backdoor maneuver by proposing a "Bad" schedule amendment, which was labeled as part of the Chair's proposal and placed in our mailboxes late Wednesday night. The U.S.'s tongue-tied Commissioner Medina insisted on having her turn on the floor Thursday to discuss the proposal to extend aboriginal subsistence quotas from five to seven years rather than letting these quotas be used as "bargaining chips" at the IWC. One country mentioned that it was too late in the day to discuss this surprise addition to the Chair's proposal and that the NGOs were supposed to address the Commission. Medina had the audacity to say she was once an NGO, but now that she is a



**The delegation from the Republic of Korea made it known at IWC/62/Agadir that their country is ready to go whaling.**



**Joji Morishita, head of Japan's delegation, chats with Acting IWC Chair Anthony Liverpool just prior to the opening of Plenary.**

part of the U.S. government, that trumps the NGOs and she should have the floor to speak before the NGOs. Many countries objected to this, as it had been agreed to table the current Chair's proposal until next year and many countries needed to review this surprise addition and get instructions from their government on how to proceed. With further insistence by Medina, the U.S. proposal was finally introduced with no further discussions taking place – and thankfully, the proposal was withdrawn from consideration the final day of Plenary.

Finally after a very long day of discussions, the Commissioner from France intervened on behalf of the NGOs and stated that the time had come for NGOs to address the Commission. Representatives from the Cousteau Society, the Norwegian Society for the Protection of Animals, the Eastern Caribbean Coalition for Environmental Awareness and oth-



**Centro de Conservacion Cetacea's Elsa Yayais Cabrera with CSI's Heather Rockwell.**

ers prepared short speeches that were a few minutes long as NGOs, both anti-whaling and pro-whaling, were only allotted 30 minutes total for interventions. As the NGOs walked to the front of the room to begin their speeches, Monica Medina made the most “Ugly” move of the week and walked out of the room, never hearing what any of the NGOs had to say. She later told the WNUS NGOs that she had to take a phone call and go shopping for her kids, as she was leaving early the next morning and that was the only time she had to get them some Moroccan trinkets. In essence, it truly showed her disdain and disregard for the NGO community, despite the fact that most of us work for whale conservation organizations and represent tens of thousands of people who support saving whales around the world, not selling them out to Japan, Norway and Iceland.

The whales were dealt one final “Bad” blow on the last day of Plenary, when the IWC finally agreed by consensus to allow Greenland to kill 9 Humpback whales a year through 2012. Supposedly, these whales are taken as part of an aboriginal subsistence hunt with no commercial aspects, but there is evidence that most of the meat ends up being sold illegally in markets. Greenland had tried for the last three years to obtain this humpback whale quota and this year they had the full support of the U.S. government behind them. The really disturbing aspect of this hunt is the fact that well-known humpback whales from the Gulf of Maine stock, which migrate between Caribbean and New England waters, are at risk of being killed by the Greenlanders.

However, the truly “Ugly” part of this meeting was the behavior and dealings of the U.S. delegation, the U.S. Commissioner Monica Medina and the three NGO groups that broke ranks with the rest of the whale conservation organizations – Pew Environmental Group, World Wildlife Fund and Greenpeace. The U.S. and these three groups wholeheartedly supported the Chair's proposal to suspend the moratorium on commercial whaling for 10 years in exchange for Japan, Norway and Iceland reducing the numbers of whales they kill. The U.S. was involved with the closed door “speed dating” meetings, where they were still trying to convince the whale friendly countries of Australia, the European Union and the Buenos Aires group to go along with this bad deal for whales. Luckily, most of these conservation-minded countries held firm and insisted on phasing out all whaling – to which Japan, Norway and Iceland could not agree.

In the end, the Chair's proposal was tabled and Acting Chair Liverpool called for a year-long “cooling off” period for discussions on the future of the IWC. The question of whether or not IWC Chairman Maquieira returns to lead the IWC next year remains up in the air, but we suspect our NGO friends in Chile have ensured that he will no longer be involved with the IWC or developing bad deals for whales. The IWC has a new Secretariat, Simon Brockington, replacing retiring Secretariat Nicky Grandy. The time and place for the



The view from our Moroccan spring break hotel.

2011 Annual Meeting of the IWC is unknown at this point, but will be decided by September.

But wait, our story doesn't end there. We still had to get out of Morocco and back to the United States. An easy pros-

pect you might think – but alas, not as easy as we had hoped for. Between the two of us, we had to deal with missed flights on Royal Air Maroc (whose motto should be “We Just Don't Care”), lost luggage (again), bizarre security pat-downs in curtained booths, and unintended overnight stays in Casablanca hotels and JFK Terminal #4, which led to both of us to arriving home a day later and more tired than we had anticipated.

As this edition of *Whales Alive!* went to print, two interesting news items on whales popped up that bear noting. First, Australia's lawsuit against Japan over its research whaling program will be heard in the International Court of Justice sometime in July. And, Iceland's entry into the European Union is contingent on Iceland giving up whaling. So, a final bit of “Good” news to report on for the whales.

We both wish to thank all of the wonderful CSI members whose contributions helped get us to this important IWC meeting. In particular, we extend our sincere appreciation to one extraordinary gift from an anonymous donor, without which we would not have been able to travel to Morocco to fight for the whales.

*Photographs by Heather Rockwell.*

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## The Gulf of Mexico: Will It Ever Be The Same?

*By Taffy Lee Williams*

It has been 84 days since BP's oil rig, the Deepwater Horizon, exploded, killing 11 workers and sending an as yet unstoppable torrent of black oil through the gulf. The extensive damage done to the coastal region, environment, and the marine life, is stifling and in many ways irreversible. At this writing, the US government and independent scientists respectively estimate that from 72 to 140 million gallons of oil have already gushed into the water. (The Exxon Valdez spilled a mere 11 million gallons.) The slick has spread over 6,500 sq. kilometers (2,500 sq. miles), sending tar balls and oil onto the shorelines of all 5 gulf states, shutting down fisheries and decimating local economies, fouling the estuaries and nesting grounds for literally millions of birds and turtles and the legions of species that inhabit this rich biologically productive region. Over 400 species of birds and animals who inhabit the gulf, including 28 species of cetacean, are now threatened with the annihilation of their local populations while indigenous, non-migrating species face almost certain extinction. This is the largest environmental disaster in US history.

One of the best video descriptions of the sights of the oil spill comes from Louisiana conservationist John L. Wathan. “From 1.2 miles off the gulf shores of Alabama to the ground zero site some 90 miles away we haven't flown over a single square inch of clean water.” (1)

A range of emotions, from shock and anger to frustration and grief, grips the nation as we follow the progress of the thickening onslaught and watch the bungled attempts of BP to plug the leak. As each day passes, we tearfully view images of oiled birds, dying turtles and expect the worst for the elusive cetaceans. In our grief it soon becomes clear that the nefarious collusion of industry, corporate greed, the US government and inexcusable human error conspired to bring about this disaster; and this collusion has yet to be broken.

In a shocking courtroom revelation, the public learned that the government agency in charge of oil exploration oversight, the Minerals Management Service (MMS), was literally sleeping with Big Oil. Oil company inspection reports were filled out in pencil so that MMS officials could later ink them in and file them. MMS personnel received gifts, including sports game tickets, posh restaurant meals and even vacation cruises from the oil companies they were regulating.

In 2008, reports made out by the inspector-general, interior department, had implicated a dozen MMS officials for ‘unethical and criminal conduct’ in discharge of their duties. They were having cocaine and porn parties in offices. They were alleged to have had sex with oil company representatives. They received gifts and paid holidays from the very companies that they were sup-

posed to be regulating.

The result of all this lubrication was that the regulators became part of the process of bypassing the laws. BP was allowed to drill the oil-well, which later blew up, without installing an acoustically-controlled shut-off valve that could automatically close in case of an accident. MMS had also waived the regulation for BP to file a full environmental impact assessment report. Filing this report would have delayed operations on the rig, which was costing BP \$500,000 in rent per day. So they cut through the 'red tape' - and the results are there for us to see. (2)

With respect to oil and this spill, BP, the fourth largest corporation in the world, without an army, has taken control of the US government. Demanding and achieving a tight grip, BP has determined what numbers and data are released, who can volunteer or help with wildlife, whose boats can skim the waters, who is "permitted" to take pictures, and even who can fly above the burning, rainbow-colored waters. Desperate local fishermen now employed by BP are told they aren't allowed to speak to the media or report on what they see, or they'll be fired.

*"From 17 miles out it is obvious the entire gulf was covered at this point. There was no more clean water. Heavy layers of oil now cover the entire horizon."* (3)

BP has garnered such power that US officials still have not stopped the application of a toxic dispersant, Corexit, that submerges the surface oil into the water column, making it harder to skim off, in effect hiding the crude from the public. Although less toxic dispersants are available, BP's choice is so dangerous - more toxic and less effective - that it has been banned in the UK.

Corexit was used during the Exxon Valdez oil spill and has been linked to illness and death... BP was allowed to choose what dispersant to use. BP was stockpiled with Corexit and continued ordering it. When the EPA told BP to use something else, BP did not stop using Corexit. The EPA has yet to enforce that BP stop using Corexit. (4)

Toxicologists tell us that Corexit "ruptures red blood cells, causes internal bleeding... allows crude oil to penetrate into the cells and every organ system" resulting in rectal bleeding, liver and kidney damage and death.(5) 6.6 million litres have already been dumped into the water. How will this further harm everything - from plankton to whales - that can't avoid swimming through it? What will the effects be on the various ecosystems, the water column, or the toxicity of the oil? No one really knows, for applied in this manner, under-

water and in these amounts, the chemical hasn't been tested!

BP has even thwarted the public's ability to find accurate information on the spill. By buying search engine words, such as "Corexit," on Google and Yahoo, BP is directing the public to BP-friendly sites and articles. This accounts for the many alternative and foreign sources the public must often use to find out what's really going on. It took almost two months after the spill for BP to finally release the chemical composition of Corexit. How can Obama, the EPA and the rest allow this charade of "government oversight" to continue?

While being hit with lawsuits from the devastated fishing and tourism industries, BP has played down the spill, trying to hide the real numbers of impacted wildlife. There are accounts of dead dolphins found by cleanup workers or skimmers disappearing, never being necropsied, or counted in the tally of dead. Not until a court ordered BP to remove endangered sea turtles before burning corralled oil did they allow rescuers in - after hundreds had already been burned alive!

Government agencies allegedly trying to coordinate cleanup efforts, the Army Corps of Engineers, the EPA, the Coast Guard, US Fish and Wildlife, even the White House, appear to cower before BP's rule. The cleanup, under BP's direction, is hampered by red tape, federal restrictions and a painfully slow response, despite the emergency of more oil washing up and wrecking more pristine marshes and beaches each day. The US's impotence in the face of this disaster has become a source of public outrage and dismay.

*"23 miles out we encountered heaviest sheen yet. The waters there were deep purple, maroon, blue, it looked almost like a rainbow. The scope of this is beyond belief. It will take years at this rate to gather up even a portion of the oil that is on the surface today. Some of it looks more like bruised internal organs of the human body than the surface of the ocean."* (6)

BP continues to enrage the public with its disdain for transparency and for thwarting work that would aid wildlife and the cleanup efforts.

BP and the government are working hand in hand to suppress the media and others from telling the truth about the nature and extent of the catastrophic damage caused by BP's criminal negligence.

Coast Guard Admiral Thad Allen, the national incident commander for the oil spill, announced that reporters and journalists may be fined \$40,000 and face potential Class D felony charges if they come within a 20-meter [65 ft.] 'safety zone' around any response vessels or booms on the water or on beaches. This outrageous effort to shut down independent reporting comes on the heels of weeks of false statements issued by BP and dutifully repeated by government officials. (7)

At the water's edge in South Pass, Plaquemines Parish, Louisiana, one CBS film crew was threatened with arrest.

When we tried to reach the beach, seen here and covered with oil, a boat of BP contractors with two Coast Guard officers on board told us to turn around under threat of arrest. 'This is BP's rules, not ours.' ...Federal officials admit they have no idea what's happening in the deeper waters because they can't watch it. (8)

"When we found this dolphin it was filled with oil. Oil was just pouring out of it. It was the saddest darn thing to look at," said a BP contract worker who took the Daily News on a surreptitious tour of the wildlife disaster unfolding in Louisiana.

His motive: simple outrage.

"There is a lot of coverup for BP. They specifically informed us that they don't want these pictures of the dead animals. They know the ocean will wipe away most of the evidence. It's important to me that people know the truth about what's going on here," the contractor said.

"The things I've seen: They just aren't right. All the life out here is just full of oil. I'm going to show you what BP never showed the President."

...He motored out to Queen Bess barrier island, known to the locals as Bird Island.

The grasses by the shore were littered with tarred marine life, some dead and others struggling under a thick coating of crude.

"When you see some of the things I've seen, it would make you sick," the contractor said. "No living creature should endure that kind of suffering." (9)

While "Seize BP" protests mount around the country, skimmers sit idly and wildlife rehabilitators and volunteers beg to be let in to help. Federal officials take weeks to approve urgent equipment requests and the Coast Guard protects and enforces BP's "no-access" policies. It's a bizarre world of incompetence and government-industry collusion, exposed by what has become a war against an environmental seize by massive mile-long globs of dispersant stained oil.

*There were seven fires - from the size of these fires it seems as though we're not only trying to kill everything in the Gulf of Mexico but everything that flies over it as well. Certainly nothing can live in these rainbows of death that cover the entire horizon. These rainbows stretch for miles in every direction. You can't see a clear place on the gulf anywhere around this.* (10)

In the early days and weeks after the April 20 oil rig explosion, during the height of breeding season, the National Audubon Society, the Coalition to Restore Coastal Louisi-

ana, the National Wildlife Federation and the Barataria Terrebonne National Estuary Program united to help coordinate the tens of thousands of individuals willing to come and help. However, it was soon understood that BP again was controlling who would volunteer, placing the highest training restrictions on everyone, requiring 40-hour safety classes before one would even be allowed near the oil or wildlife. This move made it impossible for many to follow their hearts and go help out.

*Then there was this pod of [approximately 22] dolphins found later. Some already dead, some in their death throes. It seemed to be that they were raising their head and looking at the fires wondering why is my world burning down all around me? Why would humans do this to me?* (11)

To complicate matters, the expected masses of birds, marine mammals and other wildlife trickled in dozens at a time. Coordinators told volunteers heading for the gulf that they weren't needed, and that if they were inundated with wildlife, the qualified living locally would be called. Many wondered what happened to the thousands of expected birds and marine mammals, and of course, feared the worst.

*As we headed out toward Louisiana it was mile after mile of rainbow, heavy slick oil, and then a circle appears. Could there possibly be life under all of this? In the shadow of all that smoke could there actually be something alive? ...As we looked closer we saw this pod of [36] dolphins obviously struggling just to breathe. Another pod of 18 dolphins.*

*Then we found this guy. A sperm whale swimming in the oil had just breached. Along his back we could see red patches of crude as if he'd been basted for broiling.* (12)

Tragically, it will be impossible to determine how many whales and dolphins have been lost in the spill. There has never been a baseline population study on cetaceans in the gulf, as they are so difficult to count. Dolphins and whales spend their lives mostly submerged and coastal waters are murky. One thing is certain: cetaceans are being severely affected, as the "unofficial" videos reveal.

As of July 11, the US Fish and Wildlife Collective is reporting 1,731 dead birds, 1,071 live-oiled, and 473 released birds. There have been 454 dead sea turtles, 134 live-oiled, and 11 released. 58 dead mammals, 2 live-oiled and one cleaned and released (a dolphin). (13) These numbers seem strangely low, considering the expanse of this catastrophe. We know some of the effects of oil.

At least some killer whales in Alaska were suspected

to have inhaled fumes emitted by spilled Exxon Valdez oil, causing them to lose consciousness and drown. Oil can burn the mucous membranes around the eyes and mouth, says Fougères. Inhaled fumes can cause pneumonia, ulcers and liver and kidney failure. (14)

We can only hope that some can escape, finding breaks in the slick through which they can breathe. But we recognize the grim reality.

Looking ahead, official observations show a small portion of the slick has already reached the loop current which moves water around the coast of So. Florida. (15) Just how far-reaching will this marine nightmare prove to be? We grieve the losses and hope for the mercy and wisdom to take a new direction, one in which humanity will act with responsibility and strength while sharing this blue planet with every other living creature.

#### Footnotes:

1. Wathen, John. [http://www.youtube.com/v/pxDf-KkMCKQ&hl=es\\_ES&fs=1&](http://www.youtube.com/v/pxDf-KkMCKQ&hl=es_ES&fs=1&)
2. BP Plays Down Oil Leak. July 10, 2010. The Times of India. <http://timesofindia.indiatimes.com/World/US/BP-plays-down-oil-leak/articleshow/6150801.cms>
3. Wathen, John. [http://www.youtube.com/v/pxDf-KkMCKQ&hl=es\\_ES&fs=1&](http://www.youtube.com/v/pxDf-KkMCKQ&hl=es_ES&fs=1&)
4. The Dirty Truth About BP Gulf Oil Spill Dispersant: Nalco Corexit. <http://sciencereay.com/biology/ecology/the-dirty-truth-about-bp-gulf-oil-spill-dispersant-nalco-corexit/>
5. Toxicologists: Corexit “Ruptures Red Blood Cells...” <http://www.georgewashington2.blogspot.com/2010/07/toxicologists-corexit-ruptures-red.html>
6. Wathen.
7. <http://www.seizebp.org>
8. CBS Evening News. May 19, 2010. <http://www.youtube.com/watch?v=x2VuaGXOIJ0&NR=1>
9. Dead, dying marine wildlife. New York Daily News. [http://www.nydailynews.com/news/national/2010/06/02/2010-06-02\\_the\\_hidden\\_death\\_in\\_the\\_gulf.html#ixzz0tcchyYiM](http://www.nydailynews.com/news/national/2010/06/02/2010-06-02_the_hidden_death_in_the_gulf.html#ixzz0tcchyYiM)
10. Wathen, John. [http://www.youtube.com/v/pxDf-KkMCKQ&hl=es\\_ES&fs=1&](http://www.youtube.com/v/pxDf-KkMCKQ&hl=es_ES&fs=1&)
11. Ibid.
12. Ibid.
13. Deepwater Horizon Response Consolidated Fish and Wildlife Collection Report. July 11, 2010. [http://www.fws.gov/home/dhoilspill/pdfs/collection\\_07112010.pdf](http://www.fws.gov/home/dhoilspill/pdfs/collection_07112010.pdf)
14. Oil Spill Update From The Field. Audubon Magazine. <http://magblog.audubon.org/oil-spill-update-field---how-many-dolphins-will-oil-spill-kill-because-poor-data-we-will-never-know>
15. Bloomberg News. May 20, 2010. <http://www.youtube.com/watch?v=-tgpV3YW6AI&feature=related>

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## Right Whales and Windmills

*By William Rossiter*

**Cape Wind** is the first of many offshore arrays of wind turbines planned for U.S. coastal waters. The planned array of 130 wind turbines would be mounted to the shallow seabed of Horseshoe Shoal in Nantucket Sound. Although the project has stirred controversy at least since 2004, it has plowed through a mountain of regulatory requirements and remains on track eventually to produce an average of 170 megawatts, almost 75% of the 230 megawatt average electricity demand for Cape Cod and the Islands of Martha’s Vineyard and Nantucket. Wind energy is one of the most promising alternatives to our society’s dependence upon oil, and the rush to harvest the wind is producing over 20 new “wind parks” a year in the shallow coastal seas of Northern Europe. Anyone interested in the positive aspects of the project will find an enormous resource at <http://www.capewind.org/>. Bear in mind that CSI supports both Cape Wind and alternative energy development.

So why is CSI a co-plaintiff in the Complaint filed in late June with the United States District Court for the District of Columbia, seeking “declaratory and injunctive relief” for violations of the National Environmental Policy Act and Admin-

istrative Procedure Act? As stated by a Meyer, Glitzenstein & Crystal attorney, of the Washington, D.C. public interest law firm that is representing the plaintiffs: “The ultimate goal of this litigation is not to shut down the project but to ensure wildlife laws are followed and the project is done in a way that is protective of birds and whales as a whole.” To CSI it’s all and only about the right whales. Although we had written some Cape Wind comments about 2005 we then were satisfied with the science behind the efforts to ensure the project’s construction and maintenance would not affect right whales, which migrate through the area in spring and fall.

Then the whales made their statement in late April, with over 100 being found gorging themselves on their favorite food literally surrounding Block Island, Rhode Island, a few whale-swimming hours from the Cape Wind site. The congregation lasted maybe five days, and when the prey had been consumed below the level where it was worth the whales’ effort, they all continued on the northerly migration, leaving a lot of excited scientists to work up hastily gathered data. Then the Cape Wind Supplemental Environmental Impact Statement was revised to reflect the right whale feeding frenzy.



**Right whale skim feeding on Calanus, their favorite food!**

The short, unsubstantiated, and dismissive revision concluded that the event was an anomaly and previously decided mitigations were sufficient. CSI disagrees, and the only way to get a more reasonable review of necessary mitigations out of the agencies is to become part of a lawsuit. Here we admit to a perception that government agencies and Cape Wind applicants bent on maintaining the flow tend to disregard what gets in the way.

The big picture is that energy is the new National Security, perceived by the administration as mandatory for the stability and growth of our nation, and certainly its rightful place in the community of nations. Beyond the headlines of the BP disaster the development of oil resources remains a high priority. Alternative energy from wind farms, for example, seems so comparatively innocent that the headlong rush to develop new sources may tend to offset risks. Simply put, CSI wants to be sure Cape Wind in particular will not make nature pay a price for our mistakes. We want to know the risk to the whales, as the laws require. The suit will be decided only upon what the Minerals Management Service (MMS) had in-hand for review before the complaint was filed - no new information will be considered.

The short answer for anyone wondering what CSI is most worried about is right whale injury or mortality from ship strikes or propellers, which our newsletter has mulled over for years. Building and maintaining Cape Wind will require a lot of vessel traffic between Nantucket Sound and Quonset Point, Rhode Island, crossing a seasonal migratory route for the whales. The current mitigations include a version of NMFS' Dynamic Management Areas, buffer zones where speeds of 10 knots or less are recommended if three or more right whales are sighted within a 75 nm area, as well as speed and approach restrictions similar to Cape Cod whale watch boats. CSI believes these are insufficient. For example, they depend upon visually observing the whales, somewhat similar to the U.S. Navy's observer program, but the Navy relies on this in all weather and at night! Little wonder CSI is fighting that in another lawsuit at the moment.

There is a solution to visual observation issues: Currently acoustical buoys are being used to monitor the presence of whales near the LNG ports near Boston and Stellwagen Bank. Increasingly sophisticated acoustical buoys anchored to the sea floor are documenting whales where experienced surface observers would swear there are none, such as the New York Bight. We believe Cape Wind should provide funding for a sufficient acoustical buoy array within the transit lanes and Nantucket Sound. That may also lower the risks from Nantucket's ferry traffic, if the array could provide data in real time and could triangulate whale positions.

The scientific effort to monitor every right whale mother and calf from birth through the migration to feeding areas is enormous and expensive. It serves Cape Wind to support a real-time scientific forecast for the migratory pulse through the area of concern.

We are also concerned that there is no scientific data on acoustical impact potentials on large whales from construction, or the low frequency hum of the operating towers. Even as Nantucket Island and Martha's Vineyard may mask Cape Wind noise to the south, driving a huge, hollow steel pipe 80 feet into the sandy seabed as a foundation for each tower will create lots of noise. For European "wind parks" it takes 3200 strikes per pipe, each like a dynamite explosion. Let's hope it's easier here, otherwise Cape Wind's pile driving would equal the noise of 416,000 dynamite explosions. Visual observations of mammals and turtles within 750 meters of pile driving would cause it to be shutdown, but this assumes it's a daylight-only operation. Because there is so much guesswork to these mitigations it is more than appropriate to ask what noises might deflect or halt the whales' migration, or mask the sounds that enable hungry whales to hear other whales that have found a feast.

*Whales Alive!* readers always find CSI involved with several right whale issues. The whales deserve it. If there are 425 alive in the entire North Atlantic today we can celebrate the significant population increase over the last decade, and the remarkable comeback after whaling wiped out all but a very few individuals. But we must lament the constant threats from increasing "anthropologic impacts", which means from all of us. The loss of two reproductive females may still put the species at risk of extinction, and yet every year ship strikes and entanglements take more. Entanglements appear to cause more injuries and mortalities than all directed takes of large whales, including whaling.

Speaking of whaling, the first whalers sailed from what are now historical towns proud of their importance to the development of the new United States. The whalers killed everything they could until their holds were full. It took a while before whaling logs caught up with what species were killed, but right whales were so easy! Eventually whalers had to endure multi-year voyages to exploit the Bering Sea, because they had taken everything they could in between there and

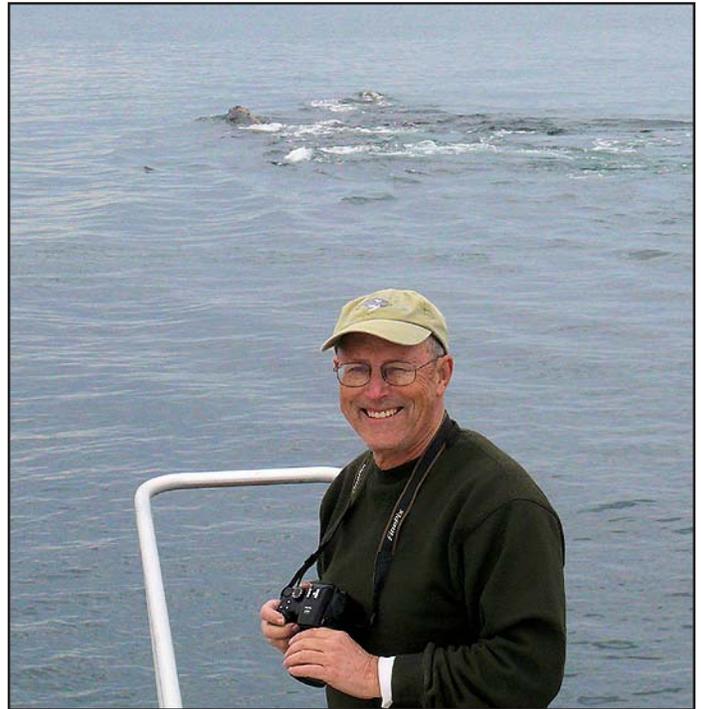
home, including every gray whale in the North Atlantic. At first, it must have been easy to kill right whales within days of home, spurring entrepreneurial support of what quickly became America's essential industry. The lore speaks of crossing Cape Cod Bay by stepping from one right whale to the next, and then they vanished.

Was April's feast an anomaly or a renewal of the occasional resource migrating right whales enjoyed before whaling? Will those whales of April remember to search for that resource as they pass through twice a year? One of the glorious mysteries of these giants is that more than a quarter of all of them that are alive can come together within days to exploit a concentrated plankton bloom beyond our comprehension. How do they do that? OK, so some wandering whale finds food, but how can another whale, tracked by satellite, know to swim a hundred miles directly to the picnic? This Block Island event was like finding a new restaurant on a desolate highway, maybe the first significant food the whales had had since fall, when they went south. They will remember.

Scientists disagree on the relationship of Cape Wind to the whales' April party. Some say surveys have been and will be adequate, and so are the mitigations. Others are not so certain. All agree that the Cape Wind site is an unlikely place to find right whales, but since it is the first of many offshore developments, any reluctance to adequately address right whale issues, or any other species at risk, poses a danger of setting a precedent for future sites that could become disasters. Let's be realistic: the laws were created to prevent harm, but many see them as preventing development. Getting the laws out of the way has become a priority for some, as it has been for the Department of Defense. We went through decades to get what we have; let's not let them be gutted. Scientific uncertainty is unsettling, but a reality. We do not expect 100% certainty, but we are looking for a reasonable effort and unfortunately that seems to require a lawsuit.

Dr. Stormy Mayo, Senior Scientist at the Provincetown Center for Coastal Studies, right whale authority, reminded me of how he was told by the reigning experts of the 70's that right whales only occasionally entered Cape Cod Bay. He considers CSI Director Steve Chelminski responsible for enabling the rapid evolution of data that documented so many right whales using the Bay that it was declared a Right Whale

Critical Habitat. Steve's generous support had provided the Center with RV Halos. On her third survey she found right whales close to home, the beginning of the Center's now famous right whale program. Recent PCCS surveys have found over one third of the species' population gorging together on their favorite food within the Bay. When the survey's plankton tows show densities decreasing the whales can be predicted to move on within a day, and they do.



Stormy Mayo at work.

Cape Wind construction is on track to begin in 2013. If the agencies get their act together there should be little delay from a reasonable effort at the "hard look" required by law. CSI wants, more than anything, to have reasonable proof that right whales can be kept from harm as wind farms continue to be developed along the coast the whales consider to be theirs. As we said above, CSI supports both Cape Wind and alternative energy development. We just do not believe right whales should pay a price for our society to get these resources.

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## Legislative Update

*By Dr. Robbins Barstow, CSI Director Emeritus*

As of July 2010, a total of 63 Congressional Representatives have signed on as cosponsors of H.R. 2455, the "International Whale Conservation and Protection Act of 2009." Among the cosponsors are Connecticut Second District Rep-

resentative Joe Courtney, and Connecticut Third District Representative Rosa DeLauro. CSI members are urged to write or phone their Representatives in Washington to sign on as cosponsors of this bill, to help move it forward.

Cosponsors are still needed also for S.3116, the “International Whale Conservation and Protections Act of 2010,” introduced by Massachusetts Senator John Kerry, and referred to the Committee on Commerce, Science, and Transportation. At the moment it seems unlikely that these bills will be

able to get time on the very short legislative calendar that remains this year. If time runs out this year, the feasibility is being looked at of having the bills reintroduced in the next Congress.

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## Cetacean News

**Recent Developments on Human Health Risks from the Consumption of Cetacean Products** is a numbing indictment of the link between the contamination of the oceans by our societies, the effect on whales and dolphins as indicator species, and the health of the people who eat cetaceans. Promoting the “Eat Whale, Get Sick” theme may be a very effective advocacy tool to affect the consumption of cetacean products, and thus the perceived need to kill them. This paper provides the best facts available on the chemical contamination loads of several societies that consume cetaceans. It was presented as a joint briefing for IWC 62 Agenda Item 12 - Environment and Human Health, by the Animal Welfare Institute, BlueVoice, Campaign Whale, Elsa Nature Conservancy, Environmental Investigation Agency, LegaSeaS International, OceanCare, Pro Wildlife, Society for the Conservation of Marine Mammals, and the Whale and Dolphin Conservation Society.

CSI Director Deb Adams is president and founder of LegaSeaS International. We are grateful to her for providing this paper, and for her continued work on toxins. The report will be available on CSI’s web site:

[http://csiwhalesalive.org/human\\_health\\_briefing.pdf](http://csiwhalesalive.org/human_health_briefing.pdf)

**We need your help.** We are asking you to help us stop a viral email and online petitions about the slaughter of dolphins and whales in the Faroe Islands. The Faroese Islanders are adept at holding the world at bay. Their society emulates no other; they are proud of their heritage and their ability to survive in a harsh place. There is a very real cultural attitude that if some outsider tells them what to do they will do the opposite. Between June 5th and July 9th five separate drives have slaughtered 282 pilot whales. These coastal village hunts happen only when whales or dolphins are close enough to drive, and there is a seasonal fluctuation in their movements.

We cannot prove that Internet petitions demanding they stop the kills actually stimulate more slaughters, but both local people and government officials have said that they do. If you help, you may also see the often counterproductive flaws in the whole concept of Internet activism, which may be doing more harm than good.

Try Care2, a very popular online petition site among many. Search for “Faroe Islands slaughters”, note how many peti-

tion links come up, and choose a few to see what they say and who they are intended for. Try every possible way to contact Care2, especially by phone, to talk with a real person. If you’re more successful than we’ve been plead with them to get the Faroe Island petitions offline. Tell them that the Faroese people may kill more whales and dolphins because of the petitions, and argue that the responsible and reasonable thing to do is to put the petitions away and see if the killing is affected. In fact, we doubt you’ll have much effect, but we need many people to try. If they haven’t hung up try to find out who these people are, where their money comes from, and what their qualifications are. Besides being gifted at using the Internet to reach people, what use are they making of the personal information they collect?

**Is Internet activism** doing more harm than good? It’s so easy for today’s armchair ecowarriors to go to go online and “sign” a petition for or against something. Satisfied that they have accomplished something good, they surf away. They’re unaware that, while properly signed petitions representing the will of the people have almost always had an influence, the lack of their real signature and address invalidates what they think they accomplished. Why? Because it’s too easy for petitions or polls to be manipulated by a few people repeatedly signing on, so generally only handwritten signatures and addresses validate the effort.

Besides the reality that most online petitions have no influence, despite the hyped self-promotions by their producers, the subject of their petition may be outdated, inaccurate, or false. One online petition site proudly took credit for stopping the IWC from approving commercial whaling! They cited comments from polite diplomats, and ignored the very hard work by many at the IWC. Besides such flaws, the sites dilute the time and energy people are willing to put into making their opinions and concerns heard. And bear in mind that everyone who signs such a petition leaves behind enough contact information to be tracked down by sellers of products they never realized they needed.

So who is responsible for what is eventually “signed” by thousands of people online? As far as we can tell it could be a troll in a cave. CSI has nothing against trolls, but we need your help to stop even well-meaning trolls from doing more harm than good.

## Jon Lien

Jon Lien, 71, died in mid April after several years of illness. As one measure of his greatness, and the love, admiration and gratitude so many people have for him, the memorial website at <http://www.thanksjon.ca/> remains dedicated to keeping his legacy alive. This is our first opportunity to honor him, and we follow the efforts of many, many others since his passing.

Jon has been my hero since 1979, from the first inspirational conversations we had about his rescuing whales in Newfoundland, changing the attitudes of fishermen, and educating children to the sea's wonders. One of his gifts was to see things from everyone else's perspective and, gaining their trust, working them around to the message he wanted to give. He saved whales by saving nets. It was a common tragedy for a humpback whale or basking shark to follow capelin into a cove and get wrapped in some family's entire investment in survival, their net strung to catch fish. Before Jon the solution was to try to kill the whale before it destroyed the net, but if the net was destroyed a family might not survive either. They came to realize how important this quiet-spoken man was to their future; he became legendary.

His brilliance, passion and commitment to people and whales was expressed every time he put his life on hold and at great risk cut a line entangling a whale or basking shark, every time he convinced a fisherman to call him first because Jon could save the fisherman's livelihood, every time he gave Newfoundland children their first awareness of the ocean's treasures around them. I treasure his posters, simply drawn people, whales, basking sharks and much else that instantly got his message across to the people of Newfoundland. I treasure the sheet of Canadian whale stamps he gave to lots of folks years ago, but could never find out if he was responsible for their creation.

It can be said that Jon founded the Whale Research Group in 1978, and was later recognized with Order of Canada and the Order of Newfoundland and Labrador, but that doesn't describe how he intuitively dealt with people to spread a message of conservation and concern, for them, their lives, and their relationship to the sea. Jon revolutionized the way people related to whales, and I am grateful for having known him.

Bill Rossiter

## Declaration of Rights for Cetaceans

By William Rossiter

**“Cetacean Rights: Fostering Moral and Legal Change”** was the title of a revolutionary conference in Helsinki, Finland in mid-June. Convened by the Whale and Dolphin Conservation Society, the meeting gathered experts in philosophy, law and cetacean science to discuss ways to establish recognition for cetaceans as non-human persons with basic rights to life, liberty, and well-being. The impressive attendance by world authorities gave the meeting substance, and the collected abstracts should serve as fundamental guidance for anyone interested in revolutionizing the way humans relate to cetaceans. Given all the exploitation CSI deals with, the need probably is self-evident to *Whales Alive!* readers, but so too is the major obstacle to formal acceptance of the doctrine: it challenges the perceived and generally accepted rights of humans to exploit non-humans as property, and as with many efforts to establish legal standing for non-humans, it poses a dire threat to established doctrines.

The conference resulted in the Declaration of Rights for Cetaceans, now available for online signatures at <http://cetaceanconservation.com.au/cetaceanrights/>:

### Declaration of Rights for Cetaceans: Whales and Dolphins

Based on the principle of the equal treatment of all persons;

*Recognizing* that scientific research gives us deeper insights into the complexities of cetacean minds, societies and cultures;

*Noting* that the progressive development of international law manifests an entitlement to life by cetaceans;

*We affirm* that all cetaceans as persons have the right to life, liberty and wellbeing.

*We conclude* that:

1. Every individual cetacean has the right to life.
2. No cetacean should be held in captivity or servitude; be subject to cruel treatment; or be removed from their natural environment.
3. All cetaceans have the right to freedom of movement and residence within their natural environment.
4. No cetacean is the property of any State, corporation, human group or individual.

5. Cetaceans have the right to the protection of their natural environment.

6. Cetaceans have the right not to be subject to the disruption of their cultures.

7. The rights, freedoms and norms set forth in this Declaration should be protected under international and domestic law.

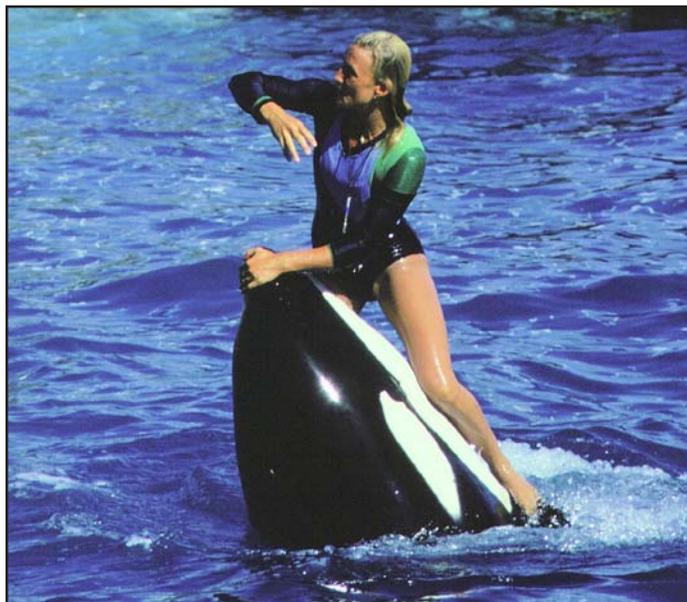
8. Cetaceans are entitled to an international order in which these rights, freedoms and norms can be fully realized.

9. No State, corporation, human group or individual should engage in any activity that undermines these rights, freedoms and norms.

10. Nothing in this Declaration shall prevent a State from enacting stricter provisions for the protection of cetacean rights.

How realistic is this Declaration? It can be expected that many to whom it might apply will oppose it to the degree they feel necessary, and human societies in general may take little notice now. Most people alive today are struggling to survive as previous generations have for millennia, and have no time or thought for such a concept. In fact, billions go about their days being treated as if they had no more rights than any other animal.

But the Declaration is not wishful thinking. Consider these words recently celebrated by Americans on the 234th anniversary of the independence of the nation: Jefferson's oft-repeated phrase in the Declaration of Independence "... that all men are created equal..." was not intended to include women, non-whites or native Americans, Catholics or non-Christians, or supporters of the British Crown. We've come a long way since, but the tumultuous evolution of true "equal



Which two word phrase best describes this image, "exciting entertainment" or "misleading exploitation"?

rights" will continue for generations to come. However, the trend is clearly towards equality for all...humans.

The gulf between humans and non-humans is wider than any of the above, and yet within this generation has several times rested on the knife-edge of a judicial decision regarding the rights or standing of a non-human, be it a cat that inherited millions or a horribly mistreated dolphin. Indeed, the legal, ethical, moral and practical standards of "humane treatment" have been pulling society towards the lofty ambition of the Declaration of Rights for Cetaceans. The gulf will be bridged if even one non-human gets standing, and cetaceans make superb candidates. There may be a case in a court right now where the overwhelming evidence may stretch a courageous judge to declare standing for a non-human, although the repercussions of that decision will be greater than the "shot heard round the world". Wishful thinking?

In the photograph on the left, if you chose "exciting entertainment" this article may be utter nonsense to you, but if you see this as "misleading exploitation" you get the point that captive cetacean shows are designed to mislead their audience into believing that there is nothing odd or wrong in manipulating the behavior of orcas to reinforce the corporate myth.

**Tilicum is the legal property of SeaWorld.** Having been involved in the deaths of three people Tilicum's performing days are over. SeaWorld's primary motive now for keeping Tilicum alive is to sire orcas that will be worth over a million dollars each. Keeping him in breeding condition may be the sole corporate reason for however he is treated; certainly his right to live the life of an orca is not in the Blackstone Group corporate flow chart. Of course they dismissed the offer by the Humane Society of the U.S. to care for Tilicum in a retirement seapen. Instead he is kept out of sight, has restricted interactions with other orcas, distant and defensive protocols used by handlers, and periods of solitary confinement. He is property. He has no rights. On a fundamental level he's imprisoned as if he had committed a crime. What does he think about the changes SeaWorld has imposed on his life since the accident? Experienced staff will note behaviors and medical needs that suggest his attitude, but it is unlikely anyone outside will know what they find; the information lockdown is extreme.

SeaWorld attorneys boldly edited a 2007 California OSHA investigation of an orca's attack on a trainer at SeaWorld San Diego, as CSI has reported. Oddly, both the original and edited versions are available, concluding that it was "only a matter of time" before an orca killed a trainer.

That happened in February, when Tilicum killed trainer Dawn Brancheau at SeaWorld Orlando. For an enlightening review of the Orlando event, Tilicum's life and the historical orca capture issues see July's *Outside* magazine's article by Tim Zimmermann, "The Killer in the Pool", now available online: <http://outside.away.com/outside/culture/201007/killer->

whale-behavior-trainer-death-seaworld.html. He gives comments by SeaWorld executives ample space, enabling a reasonable person to see how their consistent statements conflict with reality, overlaying facts with myth. "Believe" is more than a SeaWorld show; it is their mantra.

SeaWorld may believe they can delay, hinder and certainly weaken the investigation on the trainer's February death by the U.S. Occupational Safety and Health Administration (OSHA) in Florida. OSHA may not be able to contend with an obstinate army of corporate lawyers refusing or delaying access to information that the investigation requires, such as interviews with witnesses and staff. If there is a regulatory time limit for completion of whatever OSHA wants to do SeaWorld knows it, so any delay serves their need to maintain the myth. OSHA may find it impossible to make public whatever it finds, as the captive display industry is adept at sealing records as "trade secrets".

Why be so harsh on SeaWorld? They proudly stand alone at the top of the captive display pyramid, and in our experience they deserve scrutiny. We make a big distinction between the Blackstone Group or SeaWorld corporate "suits" and the staff who work with the animals. One of those suits long ago told me he had never captured orcas in Iceland, and was surprised I had a picture of him standing in a small boat with his foot on a young orca, the trophy hunter's pose. Most

of the latter truly care, and their interactions with SeaWorld's property may be what is keeping many of the captive cetaceans sane. Because of the extreme cost of keeping whales and dolphins captive in an environment attractive enough to sell very expensive tickets, the corporation projects future earnings based upon what the law allows them to get away with. It is, at its roots, simple exploitation of property for profit. At that level it is not that different from the Venezuelan travelling dolphin show CSI and others worked to stop a few years ago. Dolphins were trucked to remote regions, dumped in a rubber-lined hole in the ground and the show would extort obscene sums from poor people believing their handicapped loved ones would be healed with a dolphin's touch. If the dolphins died others would be caught, and on occasion dolphins were abandoned. Thankfully, US laws keep similar exploitation from occurring.

SeaWorld is really only meeting the desires of the people buying the tickets that keep the myth alive, who must ignore the price being paid by Tillicum and others if they are to have any fun. That pervasive attitude is why the Declaration of Rights for Cetaceans may remain wishful thinking for a while, but we are still struggling with equal rights for people different from us. The revolution may take a long time, but it will happen.

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## CSI Making Our Way to the Distant Shore

By Patricia Sullivan

*The graphic, horrible reality of the oil spill disaster in the Gulf of Mexico that has been spreading across the media is virtually inescapable. After receiving an email from our president Bill Rossiter asking what we on the CSI BOD could effectively do to help the victims, I wrote the following reply.*

Quite honestly I'm burned out with all the negativity, finger pointing, hostility, outrage and chillingly sad videos, photos and commentary. It's too much for me to comprehend and process. The oil spill is the third disaster in our nation's recent memory and, for me, it is the final blow, the knockout punch. Wincing with every image splashed across the television or computer screen, I hearken back to September 11, 2001 and subsequent reactions, and then the War on Iraq. And in the following weeks and months, my spirit was pummeled and crushed as the images of war permeated the media, and ravaged my hope.

I think there is an equal amount of outrage and numbing now, just as with 9/11 and with the War on Iraq. I don't want to open one more email attachment containing ghastly photos and videos of animals suffocating, drowning, burning, and dying in oil. I've been guilty too, of posting all the pictures

and blogs on my Facebook page; I even had a link to a site called "Make BP Pay". Revenge is contrary to my nature, but I have been compelled to action.

When (CSI Director Emeritus and his wife) Robbins and Meg and (my husband) Paul and I toured Mystic Aquarium when the Shedd Aquarium belugas were there, I met a sea lion who had been confined for seven years, no other species like him with which to interact. He seemed mad - not angry-mad - but out of his mind, charging the fence around his enclosure, wild eyes widened, open-mouth barking that sounded more like a moan. I observed resident belugas who were penned up in small pools to accommodate seven more. I have an image burned in my brain of Robbins standing next to the tank containing a rather forlorn beluga who was looking back out at him; I'm not sure which of the resident belugas it was that I captured in the photograph, but I think it was the older one who has since passed away.

I was so affected by those experiences, and shortly after that, we moved to Hawaii. I carried the feelings of grief and pity and helplessness with me here. But, within the first few weeks after I arrived I was given a clear message by gentle and peaceful human and animal lovers that harboring nega-

tive emotions does nothing for me *or* the animals. I was told to send love and blessings, rather than pity and sorrow. Thus began the shift.

Paul and I began to radiate love, blessings and gratitude. We radiated this love and joy in tranquil waters where spinner dolphins are known to frequent, and a pod of spinners swam back and forth between Paul and I, they swam under us, and around us. We radiated this on whale watches, and experienced breaching whales and joyful, playful dolphins. On one trip, my attention was drawn to activity several miles from our boat where no one else was looking. I told the captain, and we made our way to witness a “heat run” in action - five or so big humpback bulls jockeying and vying over a female. It was “one of the best trips they had ever experienced” quoted the captain. We radiated hope and blessings for four hours during a monthly humpback whale count, in a secluded bay in *Pu’uhonau o Honaunau* (Place of Refuge) National Park, and were blessed to behold the first breath of a newborn humpback.

I’m therefore choosing to search beyond the other side of hurt and sadness, to seek and project love, prayers, healing and forgiveness. Pitying people or animals does nothing to help them.

Because we radiate love and blessings, we have been able to babysit Hawaiian Monk seals of all kinds - big ones, little puppies, protective mothers, seals who are miserable as they molt, seals who are injured, seals who have been harassed, chased, intruded upon. We’ve spoken with hundreds of people in the sand about these critically endangered creatures, and 99.9% of them have been outstandingly decent. 100% of the seals have accepted us. Not once has a seal barked at us, even when we inadvertently approached a little too close. Not once.

Positive energy attracts positive energy.

Science done after the Exxon Valdez suggests that the costs of de-oiling just one animal are exorbitant, and studies that followed these rehabbed and released animals showed an extremely high mortality rate *within the first year of release*.

People who want to do something to avenge this horror want to get down to the Gulf and help the animals, but BP is not letting them in. There are reports of animals sitting in cages, unassisted for days.

Personally, I can’t comprehend or deal with what’s happening. It’s inconceivable to me, that we the people and we the animals and the environment have been devastated in such a catastrophic way. The blackness in the

water and on the shore is reflective of what people are feeling: hatred, anger, betrayal, injury, offense, division, polarity, desire for revenge.

There are bigger issues at hand here than what CSI can do for cetaceans.

So to answer your question Bill: “What can we do to help?” I would suggest we all get a handle on our own emotions and reactions, first. Just as in the case of an emergency on an airplane, we put the oxygen mask on first before we help others. Whatever we do, we must be strong and united and share one vision, one mission, one heart, before we can help others, be they people or animals.

For me, the way out is love, hope, forgiveness, and transcendence, and those are difficult rows to hoe. I do believe we all can be beacons of light in this dark ugliness, but we have to galvanize and be strong, together, first.

I’ve begun to break away from my inclination to broadcast more sadness; I’ve started to share positive images and messages. Yesterday, I gently e-lectured a woman who posted a video from the Gulf of a little crab mama who was gravid with eggs, looking for a place to deposit them among the tar balls. I asked her if she dropped the camera and helped the crab. I asked her if she realized she was stalking the poor creature with her camera because it was obvious that she had her pincers up and was retreating - *into* oil. The videographer wasn’t helping the crab, just being an opportunist, saying “look at this poor fella” evoking pity and sensationalizing the issue (I guess she didn’t see the eggs).

I had never been more compelled to take CSI’s precious time to ask their consideration. Many of my comrades responded to my suggestion that we try to make our way to the distant shores of love, forgiveness and empathy. Here are excerpts from those responses.

*Thank you Patty for taking some of my “precious time”.*

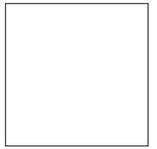
*Hope is what gets us through, not wallowing in despair.*

*Wonderful view of the world we live in.*

*Dark clouds come and go, but we don’t have to carry them with us. Tides come and go and bring changes to the edge, how to look at them? We are only defeated if we let the dark side in. Love, hope, forgiveness and positive actions - A powerful combination. Many years ago I made a decision to approach challenges as an opportunity to resolve a problem in a positive way. Yes, CSI is unique. Can we be an instrument of positive change? Yes!*

**Cetacean Society International**

c/o Brent Hall  
460 Wallingford Road  
Cheshire, CT 06410  
U.S.A.



**FIRST CLASS MAIL**

