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Save LBI Files FOIA Request for Survey Vessel Data in Response to Whale Deaths

Ship Bottom, NJ -- Considering the unprecedented and ongoing spate of recent whale deaths along the New Jersey coastline, Save LBI today filed a Freedom of Information Act (FOIA) request for all reports and data related to offshore wind survey vessel locations and noise device data to determine any potential connections to the unfolding tragedy.

Background: In the past several months an unusually large number of whales have died off New Jersey beaches. During that time, a number of offshore wind energy survey vessels were operating in the area using high intensity noise devices to characterize the seabed.

While noise levels from those survey devices are not likely to directly kill or permanently damage a whale's hearing, such levels are high enough and extend far enough from the vessel to disturb whale behaviors. Such disturbances could lead to *indirect* harm as well as potential fatality through a whale's attempts to avoid the noise by heading toward shore with compromised navigation capability, as well as loss of communication, e.g., between mothers and calves— see [Save LBI.org Research](http://SaveLBI.org/Research) for more details.

Federal requests: In a January 9th letter to President Biden and in a [press release dated Jan. 30th](#), Save LBI and other organizations called on federal agencies to open an independent investigation into the whale deaths, to halt offshore wind survey activities and to provide information, including reports on vessel track and noise device data to determine whether the vessels were a plausible cause of the incidents.

Federal response: Failing to address these requests for information, federal agencies first called for stake-holders to await necropsy test results before drawing any conclusions. Shortly thereafter, they instead hastily concluded that there was no information or “known connections” supporting the noise devices “directly” leading to the death of a whale.

However, as said above, direct damage is not the issue, but rather indirect harm from disturbance, and there are potential “known connections” in terms of the extended ranges of elevated noise that Save LBI presented to the agencies a year ago, which they ignored. Nor have they ordered a serious study, ceased survey operations, or provided any plausible alternative cause that would account for such a large number of deaths in such a short period.

Required Actions: Save LBI renews its call for halting vessel survey activities while an investigation is conducted by those with the skills and independence to do an objective analysis of all potential causes.

In light of the failure of the agencies to even investigate the situation, Save LBI is forced to file a FOIA request to seek all relevant federal reports and data on vessel locations, noise device levels and necropsy results to determine whether or not the vessels are a plausible cause of these incidents.

Save LBI will continue to update the general public and stakeholders of any FOIA disclosures as they become available, and other developments.

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