



October 6, 2023

Submitted via Regulations.gov

The Honorable Janet Coit
Assistant Administrator for Fisheries
National Marine Fisheries Service
1401 Constitution Avenue NW
Washington, D.C. 20230

RE: Concerns about the Proposed Rice's Whale Critical Habitat Designation

Dear Administrator Coit:

On behalf of the United Corpus Christi Chamber of Commerce (the Chamber) and its 1200 business members, I am writing to offer our concerns about the recent proposal by the National Marine Fisheries Service (NMFS) to create a new and expanded critical habitat designation for the Rice's whale.

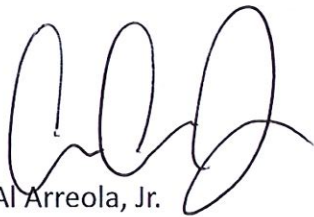
It is essential that NMFS and other regulatory bodies follow sound scientific protocols to protect endangered species and provide each with a safe and sustainable habitat. In fact, the Chamber has a long and proud history of working to protect wildlife in the area as eco-tourism is an important sector of our local economy. However, Corpus Christi is also the home to the Port of Corpus Christi which is the nation's largest port in total revenue tonnage as well as its largest crude oil export gateway supporting over 90,000 jobs in the region.

Docket ID NOAA-NMFS-2023-0028 seeks to expand the whale's habitat from Florida all the way across to Texas, encompassing nearly half of the Gulf of Mexico - approximately 6 million acres. Notably, this expanded critical habitat includes vital shipping lanes for Texas Gulf Coast ports, including the Port of Corpus Christi. The proposed restrictions are extreme and raise significant life and safety concerns, workability issues and would greatly impact maritime commerce in the Gulf of Mexico. Although we do not yet fully know the magnitude of regulations and restrictions that will result if this proposed critical habitat is adopted, there will likely be operational restrictions, project delays, and vessel traffic implications. Any federal agency issuing permits for offshore commercial activity would need to consult with NMFS to develop mitigation plans restricting movement and timelines for vessels resulting in shipping bottlenecks, longer delivery timelines, nighttime movement restrictions, cargo delays, cost increases across every supply chain, and safety impacts.

This community is committed to taking steps to protect and preserve endangered and threatened species by working with our local, state, and federal officials. However, upon review of the limited available studies, there is inadequate scientific data to draw conclusions about the extent, population, and range of the Rice's whale at this time. Many scientists concur that more comprehensive data is required to genuinely comprehend the whales' habitat and behavior. It has been recommended that NMFS implement technologies on vessels and at seaports to detect the presence of marine mammals. The proposed rule, without taking common sense steps first, would be an extreme measure causing undue economic impacts to the Coastal Bend, the Gulf Coast, and the Nation.

Considering the limited scientific justification and the potential for extensive economic, national security, and other impacts, I urge NMFS not to designate critical habitat areas for the Rice's whale until more thorough and complete scientific data is developed that can be widely reviewed. Please carefully consider the impact on affected seaports and our maritime industry stakeholders.

Thank you for your consideration of this critical issue.

A handwritten signature in black ink, consisting of several large, overlapping loops and a trailing flourish.

Al Arreola, Jr.
President & CEO