

Whaleghazi 2016

From behind my computer screen 1200 miles away from my home town of Westhampton Beach, I watched with enthusiasm as a young humpback whale chased bunker into Moriches bay. I watched the videos of it breaching, and having a grand ole time, without a care in the world. In my mind I nicknamed it “Mori”, just a kid out having some fun.



Even though I have not sailed in Moriches in almost 40 years, I still remember how unpredictable it can be. A relatively shallow bay with plenty of sandbars to trap even the most experienced boater. More than once we had run aground on sandbars while sailing in my dads 28' sailboat. Our only option was usually for me to jump into the bay onto the sandbar, and push the sailboat back into deeper water. I remember how easily the sand could be maneuvered and fall away from the keel and hull as I pushed her back. My least favorite part was if I missed jumping and grabbing the bow rail to pull my self aboard as she slid back, was that I would then have to swim to her once she was freed from the sandbars grip.

We all know that humpback whales are a protected species. We have a federal laws protecting whales like Mori dating back to 1946 when whaling became regulated, and 1966 when whaling humpbacks became illegal all together. We have a 70 year history of trying to protect these wonderful animals. As recently as October 2016 NOAA (National Oceanic and Atmospheric Administration) and NMFS (National Marine Fisheries Service) updated the listing status of humpbacks under the ESA (Endangered Species Act). This update included dividing humpbacks into 14 global DPS (distinct population segments), listing 4 of them as endangered, and 1 as threatened.

According to the MMPA (Marine Mammal Protection Act) of 1972, Moving vessels should stay 100 yards from a whale. Swimmers and divers need to stay 50 yards away. All of these rules are put in place for the safety of the animals we want to protect. Because we want to save them and allow them to live in peace in their oceans. All of these rules are there to help the whales survive, all under the

jurisdiction, protection and watchful eye of the NOAA.

Now Mori did not read any of these rules. He was just lucky enough to follow a large school of bunker through Moriches Inlet, and he probably thought he found gold. All these fish, easy to corral and catch because they had no place to go. Without knowing it, he also happened into Moriches bay after labor day. All the summer folks had gone home and boat traffic was at a minimum in the bay. Mori was having a pretty good week.

Then on Sunday there was a problem. Maybe Mori was chasing some bunker and they fled across the sand bar and he followed, maybe Mori was trying to get away from a menacing boat, or maybe he had just had enough fun in Moriches and decided to head back to the inlet. All I know for sure is that Mori got stuck on that sand bar and could not back himself off.



Now I imagined that Mori was more intelligent than we were. I knew that Mori lived in the ocean day and night and assumed he would be able to judge the sandbars and avoid going where it was too shallow. What I did not take into account was that Mori was a juvenile, just a young child less than 5 years old. It did not have the age and experience to know exactly how little water was too little. So as he tried to leave Harts cove Mori did not think to follow the channel. He thought he could cross the sandbar, which it may have already crossed once during the extreme high tide with the fall super-moon. Just a few feet into the sand bar Mori's belly scraped up onto the sandbar. In a panic Mori probably tried to power his way across the bar, wedging himself even more into the sand.

Unlike the sailboat that I sailed that bay on so many years ago, Mori could not swim backwards. Nor did he have anyone to give him a push to freedom. All Mori could do is wait for the next high tide, and try to free himself. And wait he did.

Locals almost immediately saw Mori's predicament. We all hoped that the next high tide would give enough clearance for Mori to free himself, but it just was not as high as the super-tide. Mori needed help. Locals knew there were laws designed to help Mori, after all he is a protected species. So locals

did what should have been the right thing. Locals immediately contacted the Riverhead Foundation, Coast Guard and NOAA. They will help Mori right?

Very soon it became clear that the government agencies would start doing nothing except making press statements saying they were 'monitoring the whale's situation'. I hate to disagree, but I was 'monitoring' the situation from 1200 miles away. They could have been on scene in less than an hour, but instead started passing the buck, because no one really wanted to take the responsibility to do anything.

Fortunately it did not take long for locals to realize that the organizations mandated to help save these animals would flow the red tape and do nothing. Locals immediately banded together and formed groups to start calling and emailing everyone from NOAA and the Riverhead Foundation, to Senators and even the Governor's office.

Facebook groups such as Locals Only posted live feeds, videos and pictures to garner support to save the Mori. A local company, Shore Line Bulkheading, fired up its barge and dredging equipment and headed to the site where Mori was stranded. On their own time and expense, and at the threat of \$10,000 fines, arrest, and the possibility of having their equipment confiscated. The plan was to gently move the sand away from Mori, so he might slip back into the channel just a few feet away.



I am confident that the live feeds of this attempt, and the fact hundreds of us were watching it unfold live, is the only reason the captain and crew were not detained or arrested. However, NOAA had instructed the policing agencies on the scene to not allow the dredging operation to begin. In other words, no one was allowed to even attempt to help Mori.

As an after thought, maybe if the locals had quietly gone out and tried to help without first notifying NOAA, maybe Mori would now be back swimming in the Atlantic.

OK, I know that bureaucracy and red tape take time. That is just the state of our largely dysfunctional government agencies. What I really am having a hard time trying to understand, is that they could not make an immediate decision to help rescue Mori (even though they supposedly have studied and trained for this), but they had zero problems issuing a decree that NOBODY was allowed to get close and help him.

This reeks of 'Whaleghazi' to me. Help is very close by, and ready to go, but 'officials' will not allow it. Red tape and pass the buck. Now lets cover our butts by spreading a fake story that the Mori must be sick and ailing, or he never would have beached himself. (I believe he made a split second bad judgment call, just like every one of us has). This is just another way to cover up incompetence and apathy. Besides, the media will print whatever they are told by 'official sources'.

I know the standard line 'any attempt to help him could cause stress and harm to the animal'. Really? Attempting to help Mori could cause more stress and harm then leaving him stranded and helpless for 4 days? Being pecked at by seagulls? Getting more and more desperate each hour, not knowing what will happen? Crying in desperation at night? With the sound carrying across the bay so anyone within earshot could hear his cry's for help? Cry's that I am sure will haunt many for many years to come.

How much stress do you think Mori felt when the humans in orange jackets pulled up in a boat, and poked and prodded him for an hour trying to assess his health after being ignored for 4 days? How much pain did he feel when they stabbed a 3 foot needle into him and injected him with drugs? Many have relayed how Mori fought and thrashed his tail as this happened. Does that sound like a week and dying creature, or that is fighting to live? From the blood trail in the water it would appear that after drugging poor Mori, he was killed using exsanguination. A method where a major artery is cut, allowing the animal to bleed out and die. How much harm did that do to Mori?



So tell me again, how an attempt by locals would cause the animal stress and harm. Maybe Mori would have survived the attempt and gone on to live out his next 45 years, maybe not. He surely would have

at least had more of a fighting chance had they been allowed to try.

We did not learn much from the last baby whale that needed our help back on 2010 in East Hampton. I hope that we have learned from this one. It would appear that what we really need is a new law passed by congress that protects our whales from NOAA and other government agencies. They are more dangerous to these great creatures than the general public in these situations.

Now that Mori has been killed (I will not use the term euthanized, as that is a whitewash word used to make people feel good and think that what was done was humane and in the animals best interest) his lifeless carcass has been left where he died. Sure, lets go ahead and add insult to injury.



Was it just too much trouble to remove it or tow it out to sea? Or was it just that the 'experts' had to kill him quickly so they could get back to their own families for Thanksgiving, and moving it was too much bother? Maybe there is even more red tape for moving a whale carcass?

Maybe it is a little more sinister than that... could leaving Mori's body there be a message to the locals to not mess with NOAA, question it, and get in its way? Because after all, they are the government agency in charge and they decide who live and who dies, not us.

They may eventually remove it, they may just leave it there. As of writing this article, I have no information. But I know that people are still looking out and seeing the waves wash over his carcass.

He no longer flinches at the pecking seagulls and crabs biting at his flesh. I know that there are a lot of broken hearts and people very sad for the loss of this great creature. Even at 1200 miles away, I am one of them.

The MMPA was written and put in place to protect these great creatures of the sea. Creatures at one time we almost wiped out because we did not know any better. Well, we know better now and we try to do what we can to give them free reign wherever they choose to go. Even for those living on the coast of Long Island, seeing a humpback like Mori is rare. Most have never seen one at all. So when Mori came to play in our bay, he became one of the family. That is why everyone fought so hard to save him and why we are mad as hell that there was no attempt to help from those charged with protecting him.

Now on Sunday, Nov 27 there will be a vigil for Mori at the Coast Guard Station. Why would we do such a thing for just an ocean creature? Because he was part of our family, and we will miss him. I wonder if we can place a cross on the sandbar in the bay, where this tragedy ended. A simple reminder just like crosses along a highway.

I submit that we contact our Senators and Congressmen, en masse, and lobby for a Marine Mammal Good Samaritan Act. This act would not minimize any part of the MMPA, but would instead give good Samaritans, such as our locals, the ability to attempt to help and rescue whales (and other creatures) such as Mori. Locals can organize a rescue in hours (not days) with a good chance of saving such creatures. It is painfully obvious that NOAA is not a rescue organization, but a management organization. We need the ability to make good faith efforts to help in these situations, and not be hindered and threatened with arrest, fines and confiscation of our property and equipment.

We need the support of our congressmen, and our governors (all coastal state governors would be preferable). I would call upon Congressman Lee Zeldin to help write this new bill, and get it through congress while Mori's demise is still fresh in all our minds.

Start writing letters, emails and making calls. We need to let our congressmen know what WE the people want done. Remember, people in Washington that make these laws are not our leaders, they are our representatives!

Mori, I hope you rest in peace, and catch all the bunker you ever imagined, wherever you are.

If you have any other relatives or siblings out there, and they find themselves in your situation, I pray that we have changed our laws so that we can help them return from minor mistakes such as yours.

We will cautiously watch your cousin currently swimming in the Hudson River and hope that none of the government agencies decide to 'help your cousin' the way they helped you.

Mark J Hoag
West Des Moines, IA 50265
(Formerly of Westhampton Beach, NY)

Photo credits and thanks to those who have taken and posted all throughout this ordeal.