



EXECUTIVE SUMMARY

Speeding Toward Extinction:

**VESSEL STRIKES THREATEN
NORTH ATLANTIC RIGHT WHALES**



The North Atlantic right whale is one of the most endangered whales on the planet. Only around 360 remain. The two greatest threats to this species are vessel strikes and entanglements in fishing gear.

For this analysis, Oceana examined vessel speeds in areas where U.S. regulations direct them to slow down to protect whales and found that most vessels were not slowing down.

To address the vessel strike threat to North Atlantic right whales, the U.S. National Marine Fisheries Service (NMFS) issued regulations in 2008 known as the Vessel Speed Rule that created two types of right whale conservation areas:

1. Seasonal Management Areas (SMAs): Ten distinct areas ranging from Massachusetts to Florida where all vessels 65 feet and longer are required to reduce speeds to 10 knots (11.5 mph) or less, with certain exemptions for safety reasons and for federal vessels. SMA locations were chosen because they represented important feeding, breeding, calving, and migratory habitats for the whales in 2008.

2. Dynamic Management Areas (DMAs): Voluntary slow zones where vessels 65 feet and longer are asked to avoid the area or slow down to 10 knots or less. DMAs are reactive speed zones that are triggered based on visual sightings of three or more North Atlantic right whales within an area and are temporary, lasting 15 days from the sighting, but are extended if the whales remain in the vicinity. DMAs are rectangular, extend 15 nautical miles around the core area of the whale detection, and were intended to account for the variability of whale locations outside of SMAs.

Since the implementation of these regulations, researchers estimated that limiting vessel speeds to 10 knots reduces a North Atlantic right whale's risk of death from vessel strikes by between 80% and 90%. Additionally, based on the government's own assessment, the regulations have had a minimal economic burden on the shipping industry.

Despite these promising findings, North Atlantic right whales continue to die from vessel strikes. Oceana conducted an analysis of vessel compliance with speed restrictions in both SMAs and DMAs between 2017 and 2020 using data from Global Fishing Watch (GFW), an international nonprofit organization founded by Oceana in partnership with Google and SkyTruth. Oceana analyzed self-reported vessel speed and location data from 2017 to 2020 to track vessel speeds and positions in North Atlantic right whale conservation areas. For this analysis, **non-compliance in SMAs** refers to vessels exceeding the mandatory speed limits, and **non-cooperation in DMAs** refers to vessels that fail to cooperate with the voluntary speed limits. DMAs were broken up into four regions: Gulf of Maine, Southern New England, Mid-Atlantic, and the Southern States.

What We Found in Seasonal Management Areas

BEST CASE

The highest level of compliance with mandatory 10-knot speed restrictions was only around two-thirds of vessels in the Off Race Point SMA, near Cape Cod, Massachusetts.

WORST CASE

Almost 90% of vessels violated the mandatory 10-knot speed limit in the Wilmington, North Carolina, to Brunswick, Georgia, SMA.



The SMAs with the worst compliance were:

1. Wilmington, North Carolina, to Brunswick, Georgia (**average of 87.5% non-compliance**)
2. Ports of New York/New Jersey (**average of 79.3% non-compliance**)
3. Calving and nursery grounds from Georgia to Florida (**average of 72.1% non-compliance**)
4. The entrance to the Chesapeake Bay (**average of 64.2% non-compliance**)
5. The entrance to the Delaware Bay (**average of 56.4% non-compliance**)

What We Found in Dynamic Management Areas

BEST CASE

Only around half of vessels cooperated with voluntary 10-knot speed limits in DMAs.

WORST CASE

Almost 85% of vessels did not cooperate with voluntary 10-knot speed limits in DMAs.



Because of the sheer volume of traffic in the Southern New England DMAs, this region poses the greatest threat despite having a lower percentage of non-cooperation than others. **Over 2,600 vessel transits exceeded the speed restrictions over the four-year period.**

>80%

With **more than 80%** of the vessels violating the speed limit between Cape May, New Jersey to Florida, the Southern States' DMAs had the highest rate of non-cooperation.



Cargo vessels were the least compliant vessel type in both DMAs and SMAs. Cargo vessels represented about 42% of non-cooperation in DMAs and around 50% of non-compliance in SMAs.



Two-thirds of the vessels that exceeded the 10-knot speed limits in both DMAs and SMAs operated under foreign flags. **The least compliant vessels by flag state** in both SMAs and DMAs included vessels flagged to the United States, Panama, Marshall Islands, Liberia, Singapore, and Germany.*

Current Regulations Are Not Enough

The current protections are analogous to imposing speed limits on semi-trucks to protect pedestrians, while allowing cars and SUVs to go as fast as they want, leaving pedestrians still vulnerable to these just-as-deadly vehicles. We should expand the coverage of the Vessel Speed Rule to all vessels, regardless of size, and improve its enforcement.



The federal government must take the following actions to reduce deadly vessel strikes in order to save North Atlantic right whales from extinction:

- + Expand and establish new SMAs
- + Make compliance with DMAs mandatory or require mandatory compliance in all reactive speed zones that may replace DMAs
- + Expand the Vessel Speed Rule to include vessels under 65 feet in length
- + Expand AIS requirement to include vessels under 65 feet in length and require continuous use of AIS
- + Improve compliance and enforcement of the mandatory speed limit
- + Narrow the federal agencies' exemption from the Vessel Speed Rule

*Panama, Marshall Islands, and Liberia are known "flags of convenience" — when vessels fly flags that do not belong to their country of ownership in exchange for fewer regulations and more lax enforcement.