

EXECUTIVE SUMMARY

*Go Slow, Whales Below:*

**VESSEL STRIKES  
CONTINUE TO THREATEN  
NORTH ATLANTIC RIGHT WHALES**



# Executive Summary



The North Atlantic right whale is one of the most endangered whales on the planet. Only around 340 remain. The two greatest threats to this species are vessel strikes and entanglements in fishing gear. To reduce the risk from the top threats and allow the species to recover, the U.S. government must require boats to slow down and reduce the number of vertical lines from fishing gear in the water, particularly in times and places where North Atlantic right whales are known to be present.

To address the vessel strike threat to North Atlantic right whales, the National Marine Fisheries Service (NMFS) issued regulations in 2008 known as the Vessel Speed Rule. This rule created two types of right whale conservation areas for vessels 65 feet or greater in length:

## Seasonal Management Areas (SMAs)

SMA locations were chosen because they represented important times and areas for feeding, breeding, calving, and migratory habitats for the whales based on 2008 migration and behavior patterns. There are 10 seasonal, mandatory, and distinct predetermined areas, ranging from Massachusetts to Florida, where all vessels 65 feet and longer are required to reduce speeds to 10 knots or less. There are certain exemptions for safety reasons as well as federal vessels and state-affiliated vessels when carrying out law enforcement or search and rescue operations.

## Dynamic Management Areas (DMAs)

DMAs are voluntary slow zones that are triggered by visual sightings of three or more North Atlantic right whales within an area. Boats 65 feet and longer are asked to avoid the area or slow down to 10 knots or less. These slow zones are temporary, lasting 15 days from the sighting, but are extended if the whales remain in the vicinity. DMAs are rectangular and extend 15 nautical miles around the core area of the whale detection and were intended to account for the variability in whale locations outside of SMAs.

Beginning in 2020, NMFS' Greater Atlantic Regional Fisheries Office added a "Right Whale Slow Zone" program throughout New England and the Mid-Atlantic. These Slow Zones function the same as voluntary DMAs, except they can also be triggered by acoustic detections.

Despite these safeguards, the whales are still at risk of being struck by vessels less than 65 feet in length inside SMAs and DMAs/Slow Zones, and by all vessels outside of the conservation areas, as the range of these whales has shifted since the regulations were established. Additionally, both mandatory SMAs and voluntary DMAs/Slow Zones are frequently ignored.

In 2021, Oceana released an analysis of vessel speeds in both SMAs and DMAs between 2017 and 2020. Vessels were considered speeding if they exceeded 10 knots at any point in an SMA or DMA. The results showed very high percentages of speeding vessels.

In 2023, Oceana analyzed vessel speeds in both SMAs and DMAs/Slow Zones to investigate if there have been improvements in compliance levels to protect these whales since the 2021 report. From November 1, 2020, to July 31, 2022, the analysis showed that once again, high percentages of vessels were speeding through both voluntary and mandatory management areas all along the Atlantic Coast.

Current vessel speed regulations are not sufficient to protect the North Atlantic right whale from extinction. NMFS proposed new regulations in 2022 that need to be finalized and should include the following changes:

- **Update slow zones to accurately reflect current whale habitat;**
- **Require mandatory slowdowns when whales are detected;**
- **Expand regulations to include all vessels 35 feet and greater; and**
- **Improve enforcement of violations and compliance with regulations.**

## Mandatory Seasonal Management Areas (SMAs)

84%

84% of vessels exceeded the speed limit (10 knots) in all SMAs for both seasons.



### SMAs with the most speeding vessels:

1. Ports of New York/New Jersey (**86% average**)
2. Wilmington, North Carolina, to Brunswick, Georgia (**85% average**)
3. Calving and nursery grounds from Georgia to Florida (**74% average**)
4. Entrance to the Chesapeake Bay (**72% average**)
5. Entrance to the Delaware Bay (**66% average**)



40% of all speeding vessels were cargo vessels, making them the worst offenders.



Vessels flagged to the United States, Panama, Marshall Islands, Liberia, and China had the most violations in SMAs.



In each SMA, there were examples of vessels traveling faster than 30 knots, at least three times the mandatory speed limit.

## Voluntary Dynamic Management Areas (DMAs) and Slow Zones

82%

82% of vessels ignored the recommended speed limit (10 knots) in DMA/Slow Zones. This action was not illegal due to the voluntary nature of DMAs/Slow Zones but is still highly dangerous because whales were known to recently be in the area.



More vessels cooperated with the speed limit in the Mid-Atlantic than any other region, but still had between 58% to 70% of vessels speeding.

An average of 82% of vessels ignored speed limits in the Southern States region in both seasons, making it the DMA/Slow Zone region with the worst cooperation.



Between 42% and 50% of all speeding vessels were cargo vessels, making them the worst offenders.



Vessels flagged to the United States, Marshall Islands, Panama, and Liberia ignored voluntary speed limits in DMAs/Slow Zones the most.



In each DMA, there were examples of vessels traveling faster than 37 knots, at least three and a half times the voluntary speed limit.

## Current safeguards are not enough

The SMAs established in 2008 need to be updated to reflect the current location of these whales as their range has changed over the last 15 years, likely due to shifting food sources from climate-driven changes. Certain areas, such as the area south of New England, are now year-round socializing and feeding grounds due to an abundance of the whales' primary food source called copepods. Between this habitat change, the voluntary nature of DMAs/Slow Zones, vessels under 65 feet currently being excluded, and an overall lack of compliance, North Atlantic right whales remain under threat. They need stronger safeguards to be protected from boat strikes.

*To protect this species,*

## Oceana recommends that NMFS promptly release the final updated Vessel Speed Rule that would:

- Update the timing and location of seasonal mandatory slow zones to reflect the current footprint of North Atlantic right whales compared to where the whales were 15 years ago;
- Make compliance with voluntary Dynamic Management Areas mandatory; and
- Expand the rule to include vessels 35 feet or greater.

## Additionally, Oceana recommends that NMFS strengthens the rule by:

- Improving the monitoring, compliance, and enforcement of ship speeds in slow zones;
- Narrowing the federal exemptions in the Vessel Speed Rule; and
- Requiring vessels 35 feet or greater to use Automatic Identification System (AIS) devices at all times.







**#RightWhaleToSave**

*For Oceana's full report and references, please visit*  
**[Oceana.org/SpeedingVessels](https://oceana.org/SpeedingVessels)**



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