

R 261958Z NOV 08

FM COMLANTAREA COGARD PORTSMOUTH VA//AR/AP//  
TO CCGDONE BOSTON MA//DR/DP/DMRC//  
CCGDFIVE PORTSMOUTH VA//DR/DP/DMRC//  
CCGDSEVEN MIAMI FL//DR/DP/DMRC//  
INFO COMDT COGARD WASHINGTON DC//CG-5314/CG-761/CG-54133/CG-5432//  
COMPACAREA COGARD ALAMEDA CA//PXO/PR/PP//  
CCGDEIGHT NEW ORLEANS LA//DR/DP//  
CCGDNINE CLEVELAND OH//DR/DP//  
COGARD REGFISHTRACEN NE CAPE COD MA  
COGARD REGFISHTRACEN SE CHARLESTON SC  
NOAA NMFS WASHINGTON DC//ENF//  
NMFS SE REGION ST PETERSBURG FL

BT

UNCLAS FOUO //N16214//

SUBJ: OUTREACH/EDUCATIONAL EFFORTS TO PROTECT THE NORTH ATLANTIC  
RIGHT WHALE

- A. MY 201449Z MAR 07, RIGHT WHALE ADVISORIES
  - B. COMDTINST 16450.4, EDUCATIONAL EFFORTS TO PROTECT THE NORTHERN  
RIGHT WHALE
  - C. MY 261940Z, NORTH ATLANTIC RIGHT WHALE SHIP STRIKE REDUCTION  
RULE ENFORCEMENT GUIDANCE
  - D. COMDTINST 16214.3, NORTHERN RIGHT WHALE MANDATORY SHIP REPORTING  
SYSTEM
    1. CANCEL REF A.
    2. PURPOSE. THIS MESSAGE UPDATES AND REPLACES REF A AND DIRECTS  
DISTRICTS TO UPDATE SOPS AND INFORM SUBORDINATE UNITS ABOUT A  
NEW, STANDARDIZED MESSAGE TO THE MARINER COMMUNITY REGARDING  
RIGHT WHALES.
    3. DISCUSSION. THE USCG INTERACTS WITH MANY ASPECTS OF THE  
COMMERCIAL AND RECREATIONAL MARITIME COMMUNITY. PART OF THAT  
INTERACTION IS TO KEEP THE MARITIME COMMUNITY CURRENT WITH NORTH  
ATLANTIC RIGHT WHALE PROTECTION ACTIVITIES (REF B). WHALE/SHIP  
STRIKES CONTINUE TO THREATEN THE SURVIVAL OF THE CRITICALLY  
ENDANGERED NORTH ATLANTIC RIGHT WHALE. IN RESPONSE TO CONTINUED  
MORTALITY, THE NATIONAL MARINE FISHERIES SERVICE (NMFS)  
PUBLISHED A SHIP STRIKE REDUCTION RULE WHICH INCLUDES SPEED  
RESTRICTIONS (REF C). DISTRICTS SHALL DIRECT ALL SUBORDINATE  
UNITS TO UPDATE THEIR RIGHT WHALE MESSAGES.
    4. COMMUNICATION VECTORS. IN AN EFFORT TO REDUCE THE NUMBER OF  
WHALES KILLED OR SERIOUSLY INJURED BY VSL STRIKES, USCG UNITS  
COMMUNICATE RIGHT WHALE ADVISORIES VIA BROADCAST NOTICE TO  
MARINERS (BNM) AND NAVTEX, LOCAL NOTICE TO MARINERS (LNTM),  
AND THE MANDATORY SHIP REPORTING SYSTEM (MSR). THE GOAL OF THE  
ADVISORIES IS TO INFORM MARINERS ABOUT THE WHALE'S ENDANGERED  
STATUS, RELAY RECENT SIGHTINGS, AND PROVIDE GUIDANCE TO AVOID  
WHALE/VSL COLLISIONS.
      - A. LNTM. EFFECTIVE IMMEDIATELY, DISTRICTS WILL REVISE AND  
INCLUDE THE FOLLOWING TEXT AND ATTACHED COMPLIANCE GUIDE  
WITHIN GEOGRAPHICALLY-RELEVANT LNTM'S FOR A 03 MONTH PERIOD  
TO REFLECT THE 09 DEC 08 START DATE OF NMFS' RULE. THE  
LANGUAGE WAS DEVELOPED IN PARTNERSHIP WITH NOAA FISHERIES  
PROTECTED RESOURCES STAFF.
- (1) NORTHEAST (D1, D5): QUOTE. US- ATLANTIC SEACOAST -  
CRITICALLY ENDANGERED RIGHT WHALES MAY BE ENCOUNTERED IN  
OFFSHORE AND COASTAL WATERS. RIGHT WHALES ARE SLOW MOVING  
AND AT RISK OF SERIOUS INJURY OR DEATH DUE TO COLLISIONS

WITH VESSELS. BEGINNING DECEMBER 9, 2008, U.S. LAW (50 CFR 224.105) PROHIBITS OPERATING VESSELS 65 FEET (19.8 M) OR GREATER IN EXCESS OF 10 KNOTS IN SPECIFIC MANAGED LOCATIONS ALONG THE U.S. EAST COAST DURING TIMES WHEN RIGHT WHALES ARE LIKELY TO BE PRESENT. SEE ENCLOSED COMPLIANCE GUIDE FOR SPECIFIC TIMES, AREAS, AND EXCEPTIONS TO THIS LAW. INTENTIONALLY APPROACHING WITHIN 500 YARDS OF RIGHT WHALES IS PROHIBITED AND IS A VIOLATION OF U.S. LAW. A MINIMUM DISTANCE OF 500 YARDS MUST BE MAINTAINED FROM A SIGHTED WHALE UNLESS HAZARDOUS TO THE VESSEL OR ITS OCCUPANTS. THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) RECOMMENDS THAT OPERATORS ASSUME THAT ANY WHALE SIGHTED IS A RIGHT WHALE. NOAA ALSO RECOMMENDS SPEEDS OF 10 KNOTS OR LESS IN AREAS USED BY RIGHT WHALES AND OUTSIDE OF SEASONALLY MANAGED AREAS WHEN CONSISTENT WITH SAFETY OF NAVIGATION. IN THE NORTHEAST, PLEASE REPORT ALL RIGHT WHALE SIGHTINGS TO 978-585-8473 AND ALL COLLISIONS TO 978-281-9351, OR TO THE COAST GUARD VIA CHANNEL 16. FOR MORE INFORMATION, CONSULT THE U.S. COAST PILOT. VESSELS THAT REPORT MSR ARRIVALS VIA TELEX MUST USE THE NEW NUMBER 48156090 EFFECTIVE IMMEDIATELY. THE EXISTING E-MAIL ADDRESS CURRENTLY IN USE (RIGHTWHALE.MSR(AT)NOAA.GOV) REMAINS ACTIVE. UNQUOTE.

- (2) SOUTHEAST (ATLANTIC SEABOARD OF D7): QUOTE. NORTH ATLANTIC RIGHT WHALES WARNING: UPDATED VERSION. FROM NOVEMBER TO APRIL THE COASTAL WATERS BETWEEN ALTAMAHA SOUND, GA, AND SEBASTIAN INLET, FL, ARE USED AS CALVING GROUNDS BY THE CRITICALLY ENDANGERED RIGHT WHALE. CRITICALLY ENDANGERED RIGHT WHALES, INCLUDING FEMALES WITH VERY YOUNG CALVES, MAY BE ENCOUNTERED IN OFFSHORE AND COASTAL WATERS. RIGHT WHALES ARE SLOW MOVING AND AT RISK OF SERIOUS INJURY OR DEATH DUE TO COLLISIONS WITH VESSELS. BEGINNING DECEMBER 09, 2008, U.S. LAW (50 CFR 224.105) PROHIBITS OPERATING VESSELS 65 FEET (19.8 M) OR GREATER IN EXCESS OF 10 KNOTS IN SPECIFIC MANAGED LOCATIONS ALONG THE U.S. EAST COAST DURING TIMES WHEN RIGHT WHALES ARE LIKELY TO BE PRESENT. SEE ENCLOSED COMPLIANCE GUIDE FOR THE RIGHT WHALE SHIP STRIKE REDUCTION RULE FOR SPECIFIC TIMES, AREAS, AND EXCEPTIONS TO THIS LAW. INTENTIONALLY APPROACHING WITHIN 500 YARDS OF RIGHT WHALES IS PROHIBITED AND IS A VIOLATION OF U.S. LAW. A MINIMUM DISTANCE OF 500 YARDS MUST BE MAINTAINED FROM A SIGHTED RIGHT WHALE UNLESS HAZARDOUS TO THE VESSEL OR ITS OCCUPANTS. THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) RECOMMENDS THAT OPERATORS ASSUME THAT ANY WHALE SIGHTING IS A RIGHT WHALE. NOAA ALSO RECOMMENDS SPEEDS OF 10 KNOTS OR LESS IN AREAS USED BY RIGHT WHALES AND OUTSIDE OF SEASONALLY MANAGED AREAS WHEN CONSISTENT WITH SAFETY OF NAVIGATION. NOAA ALSO RECOMMENDS OPERATORS USE TWO-WAY WHALE AVOIDANCE ROUTES WITHIN THE WHALESSOUTH MSR AREA. PLEASE REPORT ALL RIGHT WHALE SIGHTINGS AND COLLISIONS TO 877-433-8299 OR THE COAST GUARD VIA CHANNEL 16. FOR MORE INFORMATION, CONSULT THE U.S. COAST PILOT. VESSELS THAT REPORT MSR ARRIVALS VIA TELEX MUST USE THE NEW NUMBER 48156090 EFFECTIVE IMMEDIATELY. THE EXISTING E-MAIL ADDRESS CURRENTLY IN USE (RIGHTWHALE.MSR(AT)NOAA.GOV) REMAINS ACTIVE. WHALESSOUTH MANDATORY SHIP REPORTING AREA IS ACTIVE FROM NOVEMBER 15

TO APRIL 16. UNQUOTE.

- B. BNM AND NAVTEX. EFFECTIVE 09 DEC 08, DISTRICTS SHALL REVISE THE BODIES OF THEIR SEASONAL RIGHT WHALE BNM TO READ AS FOLLOWS:
- (1) NORTHEAST (D1,D5). QUOTE. THE CRITICALLY ENDANGERED RIGHT WHALE MAY BE ENCOUNTERED IN OFFSHORE AND COASTAL WATERS. RIGHT WHALES ARE SLOW MOVING AND AT RISK OF SERIOUS INJURY OR DEATH DUE TO COLLISIONS WITH VSLS. VSL OPERATORS ARE REMINDED TO USE CAUTION AND PROCEED AT SAFE SPEEDS IN AREAS USED BY RIGHT WHALES. INTENTIONALLY APPROACHING WITHIN 500 YARDS OF RIGHT WHALES IS PROHIBITED AND IS A VIOLATION OF U.S. LAW. A MINIMUM DISTANCE OF 500 YARDS MUST BE MAINTAINED FROM A SIGHTED WHALE UNLESS HAZARDOUS TO THE VSL OR ITS OCCUPANTS. THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) RECOMMENDS THAT OPERATORS ASSUME THAT ANY WHALE SIGHTED IS A RIGHT WHALE. NOAA REQUIRES MOST VSLS 65 FT OR GREATER TO TRAVEL AT SPEEDS OF 10 KNOTS OR LESS IN SEASONAL MANAGEMENT AREAS USED BY RIGHT WHALES WHEN CONSISTENT WITH SAFETY OF NAVIGATION. PLEASE REPORT ALL RIGHT WHALE SIGHTINGS AND COLLISIONS TO 978-585-8473 OR 978-585-8473 RESPECTIVELY OR TO THE COAST GUARD VIA CHANNEL 16. FOR MORE INFO, CONSULT THE U.S. COAST PILOT. UNQUOTE.
  - (2) SOUTHEAST (ATLANTIC SEABOARD OF D7). QUOTE. THE CRITICALLY ENDANGERED RIGHT, INCLUDING FEMALES WITH VERY YOUNG CALVES, WHALE MAY BE ENCOUNTERED IN OFFSHORE AND COASTAL WATERS. RIGHT WHALES ARE SLOW MOVING AND AT RISK OF SERIOUS INJURY OR DEATH DUE TO COLLISIONS WITH VSLS. VSL OPERATORS ARE REMINDED TO USE CAUTION AND PROCEED AT SAFE SPEEDS IN AREAS USED BY RIGHT WHALES. INTENTIONALLY APPROACHING WITHIN 500 YARDS OF RIGHT WHALES IS PROHIBITED AND IS A VIOLATION OF U.S. LAW. A MINIMUM DISTANCE OF 500 YARDS MUST BE MAINTAINED FROM A SIGHTED WHALE UNLESS HAZARDOUS TO THE VSL OR ITS OCCUPANTS. THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) RECOMMENDS THAT OPERATORS ASSUME THAT ANY WHALE SIGHTED IS A RIGHT WHALE. NOAA REQUIRES MOST VSLS 65 FT OR GREATER TO TRAVEL AT SPEEDS OF 10 KNOTS OR LESS IN SEASONAL MANAGEMENT AREAS USED BY RIGHT WHALES WHEN CONSISTENT WITH SAFETY OF NAVIGATION. PLEASE REPORT ALL RIGHT WHALE SIGHTINGS AND COLLISIONS TO 877-433-8299 OR TO THE COAST GUARD VIA CHANNEL 16. FOR MORE INFO, CONSULT THE U.S. COAST PILOT. UNQUOTE.
- C. MSR SYSTEM. THE MSR PROVIDES SIGHTING LOCATIONS AND GUIDANCE TO MARINERS IN 02 REPORTING AREAS WITHIN D1 AND D7. THROUGH DELEGATION BY CG-5314, LANTAREA (ARME) IS RESPONSIBLE FOR THE OPERATION OF THE MSR AND ITS RETURN MESSAGE TO MARINERS. VSLS REPORTING INTO THE MSR MAY CONTACT CAMSLANT OR OTHER SHORE UNITS. SHORE UNITS SHOULD CONTINUE TO TAKE THE REPORT, RELAY IT TO CAMSLANT, AND PROVIDE A RETURN MESSAGE TO THE MARINER IAW REF D. EFFECTIVE 09 DEC 08, ARME AND SHORE UNITS SHALL REVISE THEIR MSR RETURN MESSAGES TO MIRROR THE GEOGRAPHICALLY-RELEVANT BNM IN SECTION 4.B OF THIS MESSAGE.
- D. OUTREACH MATERIALS. PER REF B, FIELD UNITS ARE RESPONSIBLE FOR DELIVERING EDUCATIONAL MATERIALS TO ALL FOREIGN FLAG VSLS DURING REGULARLY SCHEDULED PORT STATE CONTROL EXAMS AND BOARDINGS, ALL COMMERCIAL FISHING VSLS, AND ANY OTHER US FLAG

COMMERCIAL VSLS THAT OPERATE BEYOND THE BASELINE, DURING SCHEDULED DOCKSIDE EXAMS AND BOARDINGS. NEW OUTREACH MATERIALS ARE AVAILABLE INCLUDING THE CD-ROM ENTITLED "A PRUDENT MARINER'S GUIDE TO RIGHT WHALE PROTECTION" AND NMFS' SHIP STRIKE REDUCTION RULE COMPLIANCE GUIDE. IAW REF B, FIELD UNITS SHALL INVENTORY THEIR EDUCATIONAL MATERIALS. ROUTE REPLENISHMENT REQUESTS TO LT CHANING BURGESS, CG-5432, 202-372-1218.

5. POC. MS. KATIE MOORE, LANTAREA LMR AND MPS SPECIALIST, LANTAREA (ARME), 757-398-6504.

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