

# **Republic of the Marshall Islands**

## **MARITIME ADMINISTRATOR**

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### **YACHT SAFETY ADVISORY No. 07-19**

**To: Yacht Owners/Captains, Managers, Agents, Recognized Class Societies and Appointed Representatives**

**Subject: NORTH ATLANTIC RIGHT WHALE – MANDATORY SPEED RESTRICTIONS**

**Date: 25 April 2019**

The Republic of the Marshall Islands (RMI) Maritime Administrator (the “Administrator”) would like to draw attention to the recently published Canada Ship Safety Bulletin 07/2019 (attached), announcing new seasonal speed restriction zones for vessels operating in the west Gulf of St. Lawrence to reduce the risk of fatal strikes to North Atlantic right whales.

The Administrator advises all RMI-flagged vessels operating in the west Gulf of St. Lawrence to review this Bulletin and adhere to the speed restrictions noted.

This YSA expires one (1) year after its issuance, unless otherwise noted, extended, superseded, or revoked.



An ECM Group Company

## Client Alert 7-2019

April 22, 2019

Canada Ship Safety Bulletin 07/2019

**North Atlantic Right Whale – Mandatory Speed Restrictions**

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### **I. ALERT**

Transport Canada has announced new seasonal speed restriction zones that vessels must follow in the western Gulf of St. Lawrence. The Government has put these zones in place to lessen the risk of fatal strikes to North Atlantic right whales by transiting vessels. Vessels must proceed at a speed of not more than 10 knots over the ground in the speed restriction zones.

### **II. BACKGROUND**

Due to changing migration patterns of North Atlantic right whales and their increased presence in the Gulf of St. Lawrence, the Government of Canada has established seasonal speed restrictions in a specific zone. These restrictions combine “static zone” and “dynamic speed” sectors.

### **III. REGULATORY OVERVIEW**

Please refer to the appended Ship Safety Bulletin 07/2019. This document can also be viewed online at the [Transport Canada website](#).

### **IV. PENALTIES**

Noncompliance with these requirements can result in the following penalties:

- Administrative monetary penalties ranging from CAN \$6,000 to CAN \$25,000; and/or
- Penal sanctions under the *Canada Shipping Act, 2001*.

Please direct questions and/or comments to us at [ecm@ecmmaritime.com](mailto:ecm@ecmmaritime.com)

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# SHIP SAFETY BULLETIN

Bulletin No.: 07/2019  
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Y - M - D

We issue Ship Safety Bulletins for the marine community. Visit our Website at [www.tc.gc.ca/ssb-bsn](http://www.tc.gc.ca/ssb-bsn) to view existing bulletins and to sign up to receive e-mail notices of new ones.



**Subject:** Protecting the North Atlantic right whale: Speed restriction measures in the Gulf of St. Lawrence

This bulletin replaces Ship Safety Bulletin No. [06/2018](#)

### *Purpose*

This bulletin describes new seasonal speed restriction zones that vessels must follow in the western Gulf of St. Lawrence.

The Government of Canada has put these zones in place to lessen the risk of fatal strikes to North Atlantic right whales by transiting vessels.

### *Context*

Due to changing migration of North Atlantic right whales and their increased presence in the Gulf of St. Lawrence, the Government of Canada has established seasonal speed restrictions in a specific zone. These restrictions combine “static zone” and “dynamic speed” sectors. [See the map below for details.](#)

Note: Navigational Warnings with these speed restrictions are considered to be Notices to Shipping, which vessels **must follow** under section 7 of the *Collision Regulations*.

Speed restrictions are described in monthly Notices to Mariners (NOTMARs). They are also broadcast through Navigational Warnings (NAVWARNs).

NOTMARs provide marine information. Fisheries and Oceans Canada, through the Canadian Coast Guard, publishes these notices monthly and annually.

NAVWARNs provide urgent information for vessels about marine facilities, services, procedures or navigational hazards. They are published by the Canadian Coast Guard.

### **Keywords:**

1. North Atlantic right whales
2. 10.0 knots
3. speed restriction

### **Questions concerning this Bulletin should be addressed to:**

AMSE	Transport Canada
Naim Nazha	Marine Safety and Security
613-991-3131	Tower C, Place de Ville
	330 Sparks Street, 10 <sup>th</sup> Floor
	Ottawa, Ontario K1A 0N8

**Contact us at:** [marinesafety-securitemaritime@tc.gc.ca](mailto:marinesafety-securitemaritime@tc.gc.ca) or 1-855-859-3123 (Toll Free).



### ***Changes to speed restriction zones***

In response to consultations with industry, and based on scientific data, we have made two changes to the restriction zone this year:

- We removed the southeast corner of the speed restriction zone, around the Magdalen Islands.
- To help reduce impacts on the marine shipping industry, we are allowing vessels, in the absence of North Atlantic right whale sightings, to travel at safe speeds in a larger area north of Anticosti Island, extending to the mainland.

### ***Static zone***

Coordinates for the new large speed restriction zone (“static zone”):

- 47° 36’ N 062° 00’ W
- 47° 10’ N 062° 30’ W
- 47° 10’ N 065° 00’ W
- 50° 20’ N 065° 00’ W
- 50° 20’ N 063° 00’ W
- 49° 43’ N 063° 00’ W
- 49° 04’ N 062° 00’ W

In the static zone, **all** vessels of 20 m or more in length overall (LOA) must proceed at a speed of not more than 10.0 knots over the ground.

### ***Dynamic sectors***

The static zone has 4 “dynamic sectors”: A, B, C and D.

When the Government of Canada determines that North Atlantic right whales do not appear to be in these sectors, vessels may transit through them at a safe operational speed.

When we determine that North Atlantic right whales are present in a dynamic sector, vessels of 20 m or more in length (LOA)

- will be notified through a NAVWARN; and
- must proceed at a speed of not more than 10.0 knots over the ground within that sector.

Note: Only dynamic sector D has changed since we issued the last Ship Safety Bulletin on this subject (06/2018).

### **Dynamic sector coordinates**

#### **Sector A**

- 49° 41’ N, 065° 00’ W

- 49° 20' N, 065° 00' W
- 49° 11' N, 064° 00' W
- 49° 22' N, 064° 00' W

**Sector B**

- 49° 22' N, 064° 00' W
- 49° 11' N, 064° 00' W
- 48° 48' N, 063° 00' W
- 49° 00' N, 063° 00' W

**Sector C**

- 49° 00' N, 063° 00' W
- 48° 48' N, 063° 00' W
- 48° 24' N, 062° 00' W
- 48° 35' N, 062° 00' W

**Sector D**

- 50° 16' N, 064° 00' W
- 50° 00' N, 064° 00' W
- 49° 56' N, 063° 00' W
- 50° 16' N, 063° 00' W

***Speed restrictions in the dynamic sectors***

These speed restrictions will be in effect for 15 days from the date we issue them. We may extend a restriction past the 15 days if North Atlantic right whales continue to be present. Speed restriction zones and sectors will be announced through NAVWARNs.

These restrictions will be in effect from **April 28 to November 15, 2019**. These dates may change, depending on when whales are present.

During this period, vessels of 20 m or more in length (LOA) must reduce their speed so as not to exceed 10.0 knots over the ground in the presence of North Atlantic right whales.

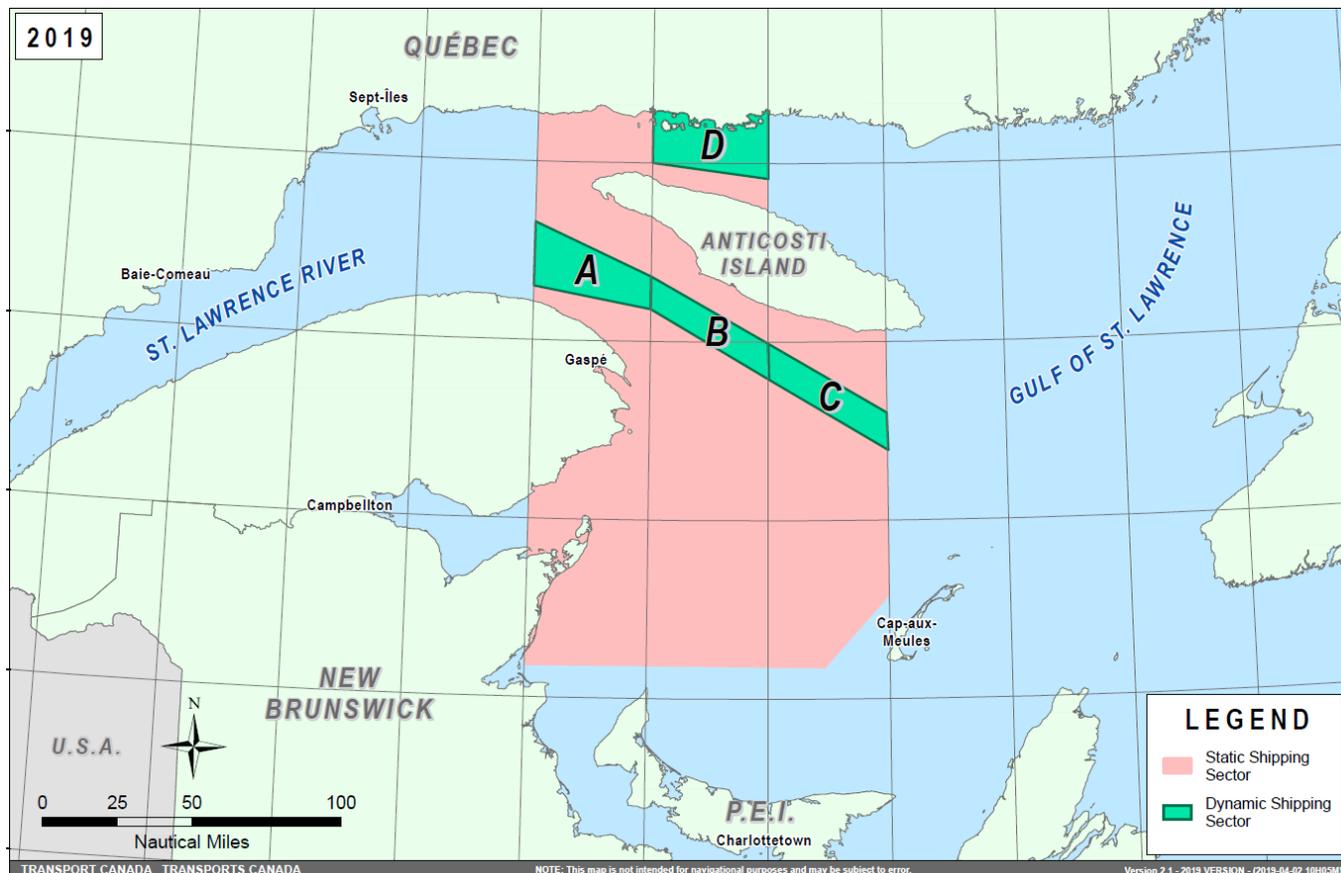
Outside the restriction period, once the mandatory speed restriction is lifted, we ask vessels to reduce their speed voluntarily so as not to exceed 10.0 knots over the ground

- in the presence of North Atlantic right whales; and
- only if maritime conditions permit safe operation of their vessel at that speed.

### Map of the Gulf of St. Lawrence

The following map shows

- the speed restriction zone, in red (static sector); and
- the dynamic shipping sectors, in green.



Map showing the static restriction area and the four dynamic sectors (A, B, C and D).

### NAVWARN broadcasts

The Canadian Coast Guard sends out NAVWARNs:

- by radio broadcast; and
- on line at [Canada's Maritime Information Portal](#) and its [Navigational Warnings](#) site.

Mariners must ensure they have accurate and up-to-date information about the protection of the North Atlantic right whale, as in all applicable NOTMARs and NAVWARNs.

For the North Atlantic right whale speed restriction, we will provide the NAVWARN in effect for the following:

### **Outbound vessels**

- at Calling-in-Point (CIP) 11; or
- upon a departure downstream from the Quebec pilot station (including the Saguenay River, Chaleur Bay, Miramichi Bay, etc.)

### **Inbound vessels**

- when a clearance to enter Canadian waters is granted

### **Vessels in transit**

- at the last reporting point prior to entering the speed restriction area; and/or
- at 10 NM prior to entering the speed restriction zone

### ***Aids to navigation***

The Canadian Coast Guard now uses virtual Automatic Identification System (AIS) aids to navigation (AIS AtoN). These aids will notify mariners of a dynamic sector subject to a speed restriction, per NOTMAR 819(T)/2016.

Each dynamic sector will be delimited by four virtual AIS AtoN, which can be displayed on a ship's navigation equipment, such as

- Electronic Chart Display and Information System (ECDIS);
- Electronic Chart System (ECS);
- RADAR;
- Minimum Keyboard Display (MKD); and
- Electronic Nautical Chart (ENC).

The Canadian Coast Guard will broadcast the virtual AIS AtoN only when a speed restriction is in effect in one or more sectors.

Mariners must select the virtual AIS AtoN symbol to view a message such as "SectA1 Spd Lim 10 kt." This message refers to a speed restriction in effect for a specific sector.

Note: This system is not the primary way we communicate this information.

### ***Compliance and enforcement***

NAVWARNs are enforced in the same way as Notices to Shipping. You must comply with these warnings under section 7 of the *Collision Regulations*.

If you do not comply with any instructions in the NAVWARNs, you could face

- administrative monetary penalties ranging from CAN \$6,000 to CAN \$25,000; and/or
- penal sanctions under the *Canada Shipping Act, 2001*.

If your vessel appears to have violated the speed restriction, Transport Canada Marine Safety inspectors will review all information provided through AIS and seek information from the master.

We will not grant exemptions to the speed restriction in advance. However, Transport Canada will review and consider reasons such as

- navigating to ensure vessel safety;
- weather conditions;
- force majeure (unforeseeable circumstances); and
- responding to emergencies.

***Report a North Atlantic right whale sighting***

If you see a North Atlantic right whale that is entangled, dead or injured, please report it to your nearest Canadian Coast Guard Marine Communications and Traffic Services Centre, or as follows:

**Southern part of the Gulf of St. Lawrence**

Marine Animal Response Society

Telephone: 1-866-567-6277

**Newfoundland and Labrador**

Whale Release and Strandings

Telephone: 1-888-895-3003

**For the Québec Sector**

Marine Mammal Emergencies

Telephone: 1-877-722-5346

**If you see live, free-swimming whales**

- Call 1-902-440-8611 (local) or 1-844-800-8568 (toll free)
- Email: [XMARWhalesightings@dfo-mpo.gc.ca](mailto:XMARWhalesightings@dfo-mpo.gc.ca)