

Loss Prevention 07 Jul, 2021

Canada - North Atlantic Right Whale - Gulf of St Lawrence (Update 2021)



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The Canadian Government has updated their speed restriction zones to help further reduce the risk of vessels colliding with North Atlantic right whales.

The revised notice was updated on 15 April 2021; this will replace the Ship Safety Bulletin No. 11/2020. A new section added to this year's bulletin is called the 36.57 meters (20-fathom) shallow water protocol. The full details for this section, along with the updated dates for the other sections mentioned below, can be found in Transport Canada's Ship Safety Bulletin 05/2021-Protecting the North Atlantic right whale: speed restriction measures in the Gulf of St. Lawrence.

Speed restrictions for this year will be in effect from 28 April to 15 November 2021. The new section, 36.57 meters shallow water protocol, will be for vessels engaged in any commercial fishing activity. In depths of no more than 36.57 meters (20 fathoms), these types of vessels may proceed at a safe operating speed. However, if a notice to fish harvesters states that a right whale is detected within a 'static zone' in depths that are no more than 36.57 meters, then the 10-knot speed limit will apply to all vessel of 13 meters and above in overall length for 15 days.

The implementation period will be on the day after the notice came into effect. Suppose there is similar statement published during the last seven days of the 15-day notice period. The 10-knot speed limit will continue for an additional 15 days after the day on which the updated notice came into effect.

Concerning the other sections within the safety bulletin, the information is as follows:

For static zones, all vessels which are 13 meters or more in length must not proceed at a speed greater than 10 knots over the ground. These restrictions may change due to inclement weather, with mariners notified via NAVWARN.

Regarding dynamic shipping zones of which there are presently five sectors, vessels may transit at a safe speed within these sectors if no right whales are sighted in the area (as determined by the Canadian Government). A NAVWARN will be issued if a right whale has been detected, meaning vessels of 13 meters and above must not exceed 10 knots over the ground within that zone. This NAVWARN will take effect 15 days from the date it is issued and may continue past the 15 days if the right whales remain present in that area.



In the seasonal management areas, between 28 April and 29 June 2021, vessels that are 13 meters and above in length must not exceed 10 knots overground. Furthermore, vessels can only proceed at their safe speeds from 30 June to 15 November if no whales are detected. If whale actively is identified, speed restrictions will be put in place for 15 days from the date the NAVWARN is issued.

The restricted area established last year in and around Shediac Valley because it is common area for surfacing and feeding activity for the species will be lifted on 31 August 2021 or when the detection of North Atlantic right whales has decreased in this area. However, the lifting or triggering of the restricted area will come through a NAVWARN and a notice to fish harvesters. The requirements for this area are as follows; vessels above 13 meters in length will avoid the area unless they are exempted (exemptions are listed in Interim Order). Exempt vessels transiting the area must not exceed 8 knots over the ground.

Finally, the Canadian Government trial voluntary speed restriction, put in place for a second year, is located in the Cabot Strait from 28 April to 29 June 2021 and 29 September to 15 November 2021. Outside this area, vessels can proceed at a safe speed. Still, during the periods mentioned earlier, vessels above 13 meters in length will be asked to voluntarily reduce their speed and not exceed 10 knots over the ground.

Vessels must comply with the NAVWARNs broadcasted and Interim Orders issued by the Canadian Government. Failing to comply with these mandatory speed restrictions will lead to penalties, including a CAD\$ 250,000 fine and/or penal sanctions.

Vessels will not be granted speed exemptions in advance but may, for safety reasons, deviate from them so long as the following is recorded in the logbook:

- Reason for deviation
- Speed of vessel
- Position coordinates of deviation
- Time and duration of the deviation
- Signature of watch officer and Master

Members requiring further guidance or assistance should contact the Loss Prevention department.