



# MARINE MAMMAL COMMISSION

29 May 2026

Mr. Eugenio Piñeiro Soler, Assistant Administrator of Fisheries  
National Marine Fisheries Service  
1315 East-West Highway  
Silver Spring, Maryland 20910-3225

Dear Mr. Piñeiro Soler:

The Marine Mammal Commission (the Commission), in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the National Marine Fisheries Service's (NMFS) advance notice of proposed rulemaking announcing possible deregulatory action to modify and modernize the North Atlantic Right Whale Vessel Speed Rule and inviting comments thereon (91 Fed. Reg. 10580). NMFS stated that the goal of this initiative is to reduce unnecessary regulatory and economic burdens on the regulated community by replacing current seasonal speed restrictions with alternative management areas and advanced, technology-based strike-avoidance measures that would maintain or enhance conservation of endangered North Atlantic right whales (*Eubalaena glacialis*; NARW). The Commission believes that further measures to reduce the incidence and severity of vessel strikes are essential to the recovery of the NARW and strongly supports efforts to enhance existing regulations and programs to reduce vessel strike risk.

## Background

The NARW is an endangered large whale species found along the eastern coast of the United States and Canada with an estimated 384 individuals remaining (Linden 2025). Of dead whales for which cause of death could be determined, almost all deaths (88 percent) documented between 2003 and 2018 were from anthropogenic trauma, 42 percent of which were due to vessel strike (Sharp et al. 2019). An elevated number of documented deaths and the critically endangered status of the species led NMFS to declare an unusual mortality event (UME) in 2017, which is still ongoing. The leading cause of this UME is mortality from entanglements in fishing gear and vessel strikes. As of May 2026, the UME included 43 confirmed dead whales, 40 seriously injured<sup>1</sup> whales, and 87 whales that were injured or ill<sup>2</sup>. Of these, 15 deaths, 3 serious injuries, and 9 morbidity cases were attributed to vessel strikes. These documented cases only account for an estimated 36 percent of total NARW deaths (Pace et al. 2021). Further, blunt force trauma resulting from vessel strikes is difficult to detect in live whales and in carcasses without a complete necropsy, potentially leading to additional underestimation of vessel strike impacts on NARWs. Whales that survive vessel strikes can have reduced reproductive success, further contributing to the population's decline and slowing recovery (Moore et al. 2021).

<sup>1</sup> Defined as any injury that will likely result in mortality.

<sup>2</sup> Defined as morbidity. See <https://www.fisheries.noaa.gov/national/marine-life-distress/2017-2026-north-atlantic-right-whale-unusual-mortality-event> for the most recent information.

Vessel speed limits can reduce vessel strike mortality of large whales (Laist et al. 2014; Rockwood et al. 2020; Rockwood et al. 2021; van der Hoop et al. 2015).<sup>3</sup> Reducing vessel speed to 10 knots is one of the most effective ways to reduce both the risk of vessel strikes and their lethality, although large ocean-going vessels traveling at speeds above 5 knots can kill whales (Blondin et al. 2025; Conn and Silber 2013; Garrison et al. 2025; Kelley et al. 2021; Redfern et al. 2024; Vanderlaan and Taggart 2007; Wiley et al. 2011). In addition to the mandatory measures in place to protect NARWs along the U.S. eastern seaboard, mandatory and voluntary speed reductions have been implemented to reduce the risk and lethality of vessel strikes to other large whales elsewhere in both U.S. and Canadian waters. Canada implements a combination of mandatory and voluntary measures to protect NARWs from vessel strikes in the Gulf of St. Lawrence.<sup>4</sup> In Alaska, the Glacier Bay National Park and Preserve mandates a seasonal 13-knot speed limit to protect humpback whales.<sup>5</sup> On the U.S. West Coast, vessels of 300 gross tons and larger are requested to travel at 10 knots or less in voluntary vessel speed reduction zones between May and December to reduce the risk of vessel strike to blue, fin, and humpback whales.<sup>6</sup> The vessel speed reduction zones include traffic separation schemes and areas to be avoided to further reduce risk. In the Pacific Northwest, several seasonal slow-down zones meant to reduce the cumulative effects of acoustic and physical disturbance from commercial vessels on Southern Resident killer whales may also provide some vessel strike reduction benefit to large whales.<sup>7</sup>

### **Effectiveness of the existing speed rule**

In 2008, NMFS issued a “Final Rule to Implement Speed Restrictions to Reduce the Threat of Ship Collisions” (50 C.F.R. § 224.105). The rule requires that vessels 65 feet and longer maintain speeds no greater than 10 knots when transiting any designated East Coast seasonal management area (SMA). Some vessels (e.g., federal, enforcement, or search and rescue vessels) are exempt from the rule. In addition, the rule includes a provision that allows vessels to exceed speed restrictions to maintain safe maneuvering speed under certain conditions. The active periods of the SMAs correspond to the temporal and spatial distribution of NARWs throughout the year and are based on historical observations prior to 2008. NMFS also implemented a system for establishing short-term, voluntary, dynamic management areas (DMAs), which are triggered by the detection of three or more NARWs outside of an active SMA. In 2020, the trigger criterion was expanded under the Right Whale Slow Zone Program to include a single NARW acoustic detection. Vessels are requested to transit DMAs and Slow Zones at less than 10 knots or to avoid the area, but compliance is voluntary.

In 2020, NMFS published the “North Atlantic Right Whale (*Eubalaena glacialis*) Vessel Speed Rule Assessment Report”, which evaluated the effectiveness of the 2008 speed rule and identified areas for improvement (Office of Protected Resources 2020). The report documented 81 percent compliance with SMA regulations during the 2018-2019 season, with lower compliance in the

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<sup>3</sup> However, their effectiveness depends on compliance.

<sup>4</sup> More information on Canada’s mandatory and voluntary measures can be found here: <https://tc.canada.ca/en/marine-transportation/navigation-marine-conditions/protecting-north-atlantic-right-whales-collisions-vessels-gulf-st-lawrence>

<sup>5</sup> Glacier Bay guidelines can be found here: <https://www.nps.gov/gba/learn/news/whale-waters-update-for-glacier-bay-effective-august-9-2025.htm>

<sup>6</sup> More information can be found here: <https://farallones.noaa.gov/eco/whales/vessel-speed-reduction.html>

<sup>7</sup> For more information, see <https://quietsound.org/admiralty-inlet-slowdown> and <https://www.portvancouver.com/article/2026-voluntary-slowdowns-and-route-alteration>

Southeast and higher compliance in the Northeast. Compliance with the DMA program was much lower, with only a small portion of vessels reducing their speed and no evidence that vessels were avoiding active DMAs. The report also documented a decline in NARW deaths due to vessel strikes from ten deaths in the decade preceding implementation of the rule to four deaths in the decade following implementation. Serious and non-serious injuries due to vessel strikes, however, increased from two to four and 13 to 24 cases, respectively.<sup>8</sup> Thus, implementation of the rule may have reduced both the number of deaths and the lethality of vessel strikes. Despite these reductions, the NARW population is not expected to recover unless human-caused mortality from all sources is reduced to an average of less than one<sup>9</sup> whale death per year.

Despite the reduction of NARW deaths following the implementation of the 2008 vessel speed rule, lethal vessel strikes on right whales continue to occur. From 2017 through May 2026, vessel strikes likely caused the deaths of ten whales in U.S. waters and there were an additional three cases in which the causes of death were undetermined or are still pending.<sup>10</sup> As the Commission stressed in its [26 March 2021 letter](#) regarding NMFS's 2020 assessment of the effectiveness of the 2008 vessel speed rule, the existing regulations provide insufficient protection for NARWs. The Commission supported NMFS's past efforts to continue to improve vessel strike protections for NARWs and strongly recommends that NMFS continue exploring ways to enhance the protections already provided by existing vessel speed regulations and programs.

### **Effectiveness of technology to reduce vessel strikes with whales**

If NMFS considers replacing the current seasonal speed rule with alternative management areas and reliance on advanced, technology-based measures designed to protect endangered NARWs, the agency must establish an up-to-date understanding of how effective the current rule has been at reducing vessel strike risk to these animals. According to the discussion in the 2008 final rule ([73 Fed. Reg. 60173](#)), any technological solution must be proven to be “directly effective in reducing the threat” and “environmentally benign.” The discussion in the final rule also stated that NMFS will consider rulemaking to allow the use of such technologies in lieu of compliance with the speed rule, but *only if the technology is shown to be at least as protective of right whales as the current rule*. The Commission recommends that NMFS update and expand its 2020 assessment of the speed rule to quantify the reduction in vessel strike risk achieved under the current speed rule and DMA/Slow Zone programs to provide a benchmark for assessing the effectiveness of alternative measures. In doing so, NMFS should clearly describe its framework for evaluating risk reduction<sup>11</sup> and set

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<sup>8</sup> The increase in serious and non-serious injuries may be due in part to increased monitoring and reporting of NARWs between 2009 and 2018 (Office of Protected Resources 2020).

<sup>9</sup> The potential biological removal level, or the maximum number of animals, not including natural deaths, that can be removed from a marine mammal stock while allowing the population to recover is 0.7 NARWs per year.

<sup>10</sup> The ten presumed deaths, including seven deaths and three serious injury cases, consisted of five calves, two juvenile females, two reproductively active adult females, and one adult male. See [https://www.fisheries.noaa.gov/s3/2026-02/North-Atlantic-Right-Whale-Causes-of-Death-for-Confirmed-Carcasses-SI-Morbidity-and-Multiple-Injury-Tables-Combined\\_11Feb2026.pdf](https://www.fisheries.noaa.gov/s3/2026-02/North-Atlantic-Right-Whale-Causes-of-Death-for-Confirmed-Carcasses-SI-Morbidity-and-Multiple-Injury-Tables-Combined_11Feb2026.pdf) for more information.

<sup>11</sup> Similar to the work done by Garrison et al. (2022) and Blondin et al. (2025), the assessment of risk should account for the spatial and temporal presence of whales and vessels, risk of vessel-whale encounters, whale behavior and probability that a whale is at a depth within the draft of an average vessel, probability that a whale will successfully avoid a strike, and probability of lethality if a strike occurs.

quantitative risk reduction targets for future management measures and technologies to achieve.<sup>12</sup> Additionally, NMFS should consider how changing the current speed rule and replacing it with other technologies may impact other marine species that have benefitted from the existing rule (Hayes and Roman 2026; Office of Protected Resources 2020).

Until the aforementioned analyses are complete, it is premature to consider replacing the existing speed rule. Instead, new technology should be deployed to augment existing protections and be assessed for effectiveness. The Commission also recommends that NMFS support additional research on NARW behavior around vessels to address knowledge gaps and the associated uncertainty in vessel strike encounter risk models (Blondin et al. 2025; Garrison et al. 2022). If whales do not respond to approaching vessels or respond in ways that could increase their risk of being struck (Nowacek et al. 2004), mitigation measures should prioritize solutions that focus on actions by mariners rather than relying on whale avoidance behavior.

The Commission is encouraged by recent advances in technologies that improve whale detection, communication to vessels, compliance monitoring, and mariner awareness. For example, the Commission has been pleased to see NMFS's collaboration with [MotionInfo](#) and other partners to develop a real-time messaging network that alerts regulated vessels when they are not complying with speed limits in active SMAs. What began as a pilot project in Massachusetts in 2024 has already expanded to over 60 transceiver stations coastwide. Real-time alerts transmitted via the Automatic Identification System (AIS) prompted 63 percent of noncompliant vessels to slow down during the pilot period, improving compliance with the speed rule (Wiley et al. 2026). The Commission recommends that NMFS continue supporting this effort to improve compliance with SMAs and that the agency work with its partners and industry to evaluate whether real-time, AIS-based messaging can also improve communication with mariners regarding active DMAs and Slow Zones.

Despite successful application of some existing and emerging technologies to protect whales, the Commission believes that it is premature to consider these technologies as a replacement for the current speed rule without a clear demonstration of the efficacy of new technologies at reducing the risk of vessel strike and killing or injuring whales. According to a recent report on technology readiness levels (TRL) for NARW detection and vessel strike risk reduction, no detection technology is currently ready for routine deployment to enable real-time vessel strike avoidance by individual vessels (Kirsch et al. 2025). Passive acoustic monitoring (PAM)<sup>13</sup> and crewed aerial surveys were the only detection technologies identified as sufficiently mature to routinely and reliably detect NARWs and inform dynamic management actions in real time (Kirsch et al. 2025).<sup>14</sup> Practicalities, such as cost and the ability to operate, distribute, and integrate technologies at scale along the U.S. East

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<sup>12</sup> Colligan et al. (2025) identified this as a critical step for manufacturer investment and development of new and emerging options. Standard methods for evaluating risk reduction should later be expanded to assess the risk reduction achieved by combinations of management measures and technologies (for example, see Rockwood et al. 2024).

<sup>13</sup> The Commission notes that research on the effectiveness of PAM to reliably detect NARWs in the Mid-Atlantic Bight and Southeast United States is limited, and preliminary data indicate that PAM is less effective in these areas relative to the Northeast United States and Atlantic Canada foraging habitats.

<sup>14</sup> For the most up-to-date information on tagging technologies and associated health concerns, the Commission refers NMFS to its [North Atlantic Right Whale Tagging Workshop Report \(2024\)](#) and the [Cetacean Tagging Special Issue of the Journal of Cetacean Research and Management](#).

Coast, as well as undesirable impacts of technologies<sup>15</sup>, were all beyond the scope of the TRL assessment, but these factors are also important to consider when evaluating whether technologies will be used and will provide benefits as intended. Additionally, whale behavior and environmental conditions can affect detection range and capabilities, meaning that combinations of technologies will likely be needed to provide sufficient protection (Baille and Zitterbart 2022; Kirsch et al. 2025; Williams et al. 2016).

The Commission notes that, although detection technologies can play a critical role in understanding NARW distribution and have the potential to play a role in reducing vessel strike risks, detections and the successful communication of detections to mariners does not necessarily result in risk reduction. Risk reduction depends on the timely communication<sup>16</sup> of actionable guidance to mariners and occurs only when mariners take effective actions to avoid a strike. Factors including vessel speed and maneuverability, communication and decision delays, competing safety risks, and distance of first detection<sup>17</sup> can all affect a vessel operator's decision and ability to engage in avoidance maneuvers, ultimately affecting the effectiveness of a technology-based mitigation strategy (Baille and Zitterbart 2022; Colligan et al. 2025; Gende et al. 2019; Leaper et al. 2024). Evaluating risk reduction therefore depends on understanding whether and which actions mariners will take when a whale is detected<sup>18</sup>, and whether those actions effectively reduce risk.

Accordingly, the Commission strongly recommends that NMFS evaluate technologies not only on their detection capability, but also on their demonstrated ability to reduce vessel strike risk under operational conditions. Evaluations should consider the entire risk reduction chain<sup>19</sup>, including the actions ultimately taken by mariners. The Commission also recommends that NMFS establish a rigorous and transparent framework for evaluating and comparing risk reduction across technologies and management measures, as well as methods to monitor and enforce compliance with the use of technology and a system to continually assess and improve the performance and efficacy of each link in the risk reduction chain.

The Commission agrees with participants at NMFS's Vessel Strike Risk Reduction Technology Workshop that effective vessel strike risk reduction will require combinations of technologies and management approaches tailored to different vessel types, geographies, and operational modes (Colligan et al. 2025). The Commission recommends that NMFS continue to engage with other federal agencies, vessel operators, industry representatives, technology developers, and marine mammal scientists as it works through the next steps identified by Colligan et al. (2025) to evaluate and integrate emerging technologies into vessel strike mitigation efforts.

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<sup>15</sup> For example, some detection technologies have the potential to harass and/or injure marine mammals (Kirsch et al. 2025). The Commission also notes that if vessel speed restrictions are replaced with detection technology, faster operating speeds will likely increase the level of underwater noise generated by vessels (Leaper 2019). Underwater noise is a known contributor to reduced whale health (Rolland et al. 2012).

<sup>16</sup> Successful communication will require integration of information with existing navigational systems, standardization across platforms, and minimization of information overload for vessel operators (Colligan et al. 2025).

<sup>17</sup> For example, unless speeds were reduced, it was not possible for a large cruise ship at normal operational speeds to take effective action for whales detected closer than 1000 m ahead of the vessel (Leaper et al. 2024).

<sup>18</sup> Actions taken could be supported by clear guidance from NMFS (e.g., speed guidelines) or the development of on-board decision support tools to help minimize risk.

<sup>19</sup> The risk reduction chain includes 1.) NARW detection and classification, 2.) modeling the spatial and temporal density of NARWs; 3.) aggregating classified detections, and 4.) dissemination and integration of NARW data and risk reduction areas in a manner which facilitates decision-making (Colligan et al. 2025).

As stated in the workshop record prepared by Colligan et al. (2025):

Working collaboratively to test and evaluate vessel strike risk reduction technology will require time, communication, transparency, scientific rigor, and trust amongst parties. There are no simple solutions or shortcuts, but there are promising tools (technology, combinations of technologies, and actions) with potential to reduce vessel strike risk when used in the right situations and with the right training.

### **Alternative management areas**

Continuous monitoring of the NARW's U.S. range (essentially the entire U.S. East Coast) is currently impractical. SMAs are designed to protect whales in areas of highest risk, where high densities of whales and vessels most likely overlap in space and time.<sup>20</sup> DMAs are intended to supplement those efforts by providing temporary protection in less predictable areas. Technology can help reduce risk by improving whale detection, increasing the timeliness and precision of current measures, and enhancing mariner awareness of whale presence. Moving to a fully dynamic management system that relies on consistent monitoring to trigger protective zones would be extremely costly and resource intensive. The probability of detecting whales varies with whale behavior, environmental conditions, observation platforms, observer experience, and the capabilities and limitations of individual technologies.<sup>21</sup>

If NMFS chooses to place greater reliance on dynamic approaches for vessel strike risk reduction, the Commission recommends that NMFS (i) evaluate and demonstrate the effectiveness of detection technologies prior to implementation, (ii) use a complementary array of effective detection technologies with backup systems in case of equipment failure or adverse weather conditions, and (iii) ensure that monitoring is sufficiently systematic and frequent to provide reliable, highly accurate, real-time detection of whales.<sup>22</sup> The Commission also recommends that NMFS continue investing in advanced modeling approaches to better predict where whales are most likely to be and to identify high-risk areas that should be targeted for protection and/or heightened monitoring.

Before considering replacement of existing SMAs with more dynamic approaches, the Commission recommends that NMFS evaluate ways to improve communication regarding active DMAs and Slow Zones to mariners<sup>23</sup>, increase compliance with and enforcement of dynamic

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<sup>20</sup> The Commission notes that current SMAs are limited because they rely on the use of historical data rather than current habitat use and real-time presence (Kirsch et al. 2025). NARW distribution has been changing and will continue to change, therefore it is important that SMAs are updated to reflect the changes.

<sup>21</sup> For example, whales making deep dives for long periods of time will be more difficult to detect than whales feeding at the surface. PAM platforms cannot detect whales that aren't vocalizing. Visual detection methods aren't effective at night, and weather conditions like fog can affect infrared technologies.

<sup>22</sup> For example, NMFS could set thresholds of effort needed according to technology platform and region. If the monitoring effort falls below that threshold in a given area and time, other measures, such as speed restrictions, could go into effect.

<sup>23</sup> For example, during the Vessel Strike Risk Reduction Technology Workshop, participants expressed a preference for receiving DMA notifications in a polygon format that is immediately usable and actionable by a navigation officer rather than as latitude and longitude coordinates (Colligan et al. 2025).

management measures<sup>24</sup>, and assess their effectiveness at reducing vessel strike risk<sup>25</sup>. Although dynamic management approaches may improve flexibility and precision under some circumstances, SMAs continue to provide important baseline protection in areas where whale occurrence and vessel overlap are predictable.

With fewer than 70 reproductively active females remaining, the loss of even a single reproductive female could substantially increase extinction risk for this species. Thus, enhanced protection of adult females and calves is critical to the species' chances for recovery. The Commission strongly recommends that modified dynamic management areas be triggered by the detection (using any detection technology) of even a single NARW, similar to the current mechanism for acoustically triggered Slow Zones. Canada's dynamic area management program already employs a trigger of a single detection.<sup>26</sup> Consistent with its past recommendations, the Commission believes that this will lead to better protection of vulnerable mother/calf pairs outside of active SMAs and strengthen the effectiveness of dynamic management measures for certain vessel types and operating contexts.

### **Vessel-size-specific risk assessment**

As noted repeatedly by participants at NMFS's 2024 Vessel Strike Risk Reduction Technology Workshop, a one-size-fits-all approach to vessel strike mitigation will not be effective because vessel sectors differ substantially in their operational requirements, maneuverability, notification preferences, and risk profiles (Colligan et al. 2025). For example, representatives from the shipping industry emphasized the importance of clear and predictable seasonal management measures that can be incorporated into voyage planning, while other participants highlighted the need for dynamic management measures that are practical for smaller, more maneuverable vessels and for vessel-specific measures, such as mountable detection technologies for pilot boats. The Commission therefore recommends that NMFS tailor combinations of static, dynamic, and technology-based mitigation measures to the capabilities and operational constraints of different vessel types and operational profiles.

Vessels smaller than 65 ft in length have been documented to strike, seriously injure, and kill NARWs. As noted in the 2022 proposed "Amendments to the North Atlantic Right Whale Vessel Strike Reduction Rule" (87 Fed. Reg. 46921), vessels less than 65 ft in length "accounted for five of the 12 documented lethal strike events in U.S. waters since 2008." Additionally, in eight reported NARW vessel strike events involving vessels less than 65 ft since 1999, the vessel operators did not see the whale prior to the strike, except in one case where the whale was sighted too late to avoid a collision.<sup>27</sup> Vessels less than 65 ft in length are often underrepresented in analyses of vessel strike

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<sup>24</sup> For example, NMFS could consider mandatory speed limits to improve compliance with DMAs.

<sup>25</sup> For example, during the Vessel Strike Risk Reduction Technology Workshop, participants noted that some survey teams report whale sightings within two hours, while others report sightings at the end of a survey day. Lag time between sightings and declaration of a DMA could affect its effectiveness (Colligan et al. 2025). Additionally, new movement modeling efforts could be used to help evaluate and maximize the effectiveness of static and dynamic management schemes (Kreuser et al. 2026).

<sup>26</sup> <https://tc.canada.ca/en/marine-transportation/marine-safety/ship-safety-bulletins/protecting-north-atlantic-right-whale-speed-restriction-measures-gulf-st-lawrence-ssb-no-02-2026>

<sup>27</sup> <https://www.fisheries.noaa.gov/feature-story/all-boaters-should-reduce-their-speed-protect-north-atlantic-right-whales>

risk because they are not subject to U.S. Coast Guard AIS carriage requirements, making it difficult to evaluate their movements, speed, and associated strike risk. Currently, SMA and DMA regulations do not apply to vessels in this size class, despite the known risks to NARWs.

The behavior of lactating females and dependent calves makes them particularly vulnerable to vessel strikes, especially within the calving grounds in the Southeast United States (Cusano et al. 2019; Dombroski et al. 2021; Hain et al. 2013). For example, in 2021, a 54 ft sport-fishing vessel in Florida, traveling at approximately 21 knots, seriously injured an adult female, killed her calf, and sustained serious damage, illustrating the danger whale strikes also pose to human safety and property.<sup>28</sup> Given the vulnerability of mother/calf pairs, the significance of losing even a single reproductively active female, and the risks vessel strikes pose to both whales and mariners, the Commission strongly recommends that NMFS include smaller vessel size classes in its assessment of technology-based approaches to reduce vessel strike risk. NMFS should consider focusing its initial efforts on smaller vessels in the calving grounds, where mother/calf pairs are at greatest risk.

### **Safety deviation provision improvements**

According to the 2008 speed rule, vessels may operate at a speed necessary to maintain safe maneuvering speed when the vessel is in an area where oceanographic, hydrographic, and/or meteorological conditions severely restrict the maneuverability of the vessel. When deviations are justified, data documenting the incident must be entered into the logbook of the vessel, where the master of the vessel can attest to its accuracy. Since there is no mechanism to collect information from logbooks, data detailing the number of safety deviations used on transits are not readily available and NMFS has been unable to accurately assess compliance with the speed rule and the extent of safety impacts. As NMFS focuses on using technology to improve vessel strike mitigation efforts, the Commission recommends that NMFS work with mariners to develop an electronic reporting system for safety deviation activity so that it can be studied and incorporated into the risk assessment framework.

### **Outreach**

Programs that use report cards, incentives, and corporate responsibility initiatives have been effective at improving compliance with mandatory and voluntary speed restrictions. The Right Whale Corporate Responsibility Project, managed by the Stellwagen Bank National Marine Sanctuary, issues report cards to vessel captains and companies based on their compliance with mandatory speed restrictions within the sanctuary. Approximately 91 percent of vessels and 84 percent of companies received an A+ or A grade in 2025 and failing grades were associated with first-time vessels (Wiley et al. 2026). SMAs around the sanctuary also exhibit the highest compliance levels on the East Coast (Office of Protected Resources 2020). Similarly, the West Coast's Protecting Blue Whales and Blue Skies program has successfully increased compliance with voluntary speed reductions through financial and public recognition incentives. Participating ships demonstrated 85 percent cooperation with voluntary speed restrictions in 2025, resulting in an estimated 40 percent less risk to whales relative to baseline transits in 2016<sup>29</sup>, while also reducing emissions and improving air quality. Given the success of these programs, the Commission recommends that NMFS

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<sup>28</sup> <https://georgiawildlife.blog/2022/02/11/looking-back-capt-recalls-whale-collision/>

<sup>29</sup> For more information, see <https://bluewhalesblueskies.org/impact/#impact>

implement similar incentive-based approaches that incorporate co-benefits such as reduced noise, lower emissions, and reduced docking fees, in other locations along the U.S. East Coast.

Real-time communication and public reporting systems have also successfully engaged mariners and improved mariner awareness of whale presence. For example, Washington State's Cetacean Desk and Whale Reporting Alert System (WRAS) documented an increase from 93 reported sightings and 298 generated alerts in January 2023 to 2,126 detections and 6,889 alerts in September 2024 (U.S. Coast Guard 2026). The number of WRAS users also increased 60 percent following the launch of Cetacean Desk in December 2023 (U.S. Coast Guard 2026). These programs enabled avoidance measures including vessel speed reductions and route adjustments, although additional evaluation is needed to quantify changes in vessel behavior and vessel strike risk reduction (Scott et al. 2024). The Commission recommends that NMFS consult with the U.S. Coast Guard, Ocean Wise, and other partners to evaluate efficient approaches for whale detection reporting, data aggregation, alert dissemination, and communication with mariners. NMFS also should evaluate how notification zone size, alert timing, and alert decay periods influence the effectiveness of dynamic, sightings-based communication systems. Expansion of public reporting tools, including Whale Alert and related applications, could improve sightings data and increase awareness of NARW presence along the U.S. East Coast. The Commission notes, however, that even the most experienced crews with dedicated marine mammal observers onboard have failed to detect and avoid striking NARWs (Wiley et al. 2016). Accordingly, while communication and outreach programs can improve awareness and support voluntary mitigation efforts, the Commission reiterates that reduced vessel speed is the most reliable measure for reducing the likelihood and severity of vessel strikes.

Effective outreach also depends on messaging that mariners receive<sup>30</sup>, understand, and can act upon. The Commission therefore recommends that NMFS continue engaging directly with mariners to improve the clarity, usability, and operational relevance of outreach and alert systems. Outreach efforts should focus on human safety risks associated with whale strikes and the shared benefits of mitigation measures for both whales and mariners. Expanding messaging to include impacts on other large whale species may further increase public and industry cooperation with vessel strike mitigation measures. For example, vessel strikes are also a major source of mortality and injury of humpback whales along the U.S. East Coast (Hill et al. 2017; Thorne and Wiley 2024), and, similar to NARWs, are contributing to the Atlantic Humpback Whale UME that has been ongoing since 2017.<sup>31</sup>

## General recommendations

This spring, 23 NARW calves were born – the highest annual calf count since 2009. In addition, recent years have shown signs of modest short-term population growth (Linden 2025). While these developments provide cause for cautious optimism and underscore the hope for eventual recovery of this species, they do not mean strict management efforts are no longer needed or that we should let our guard down. Rather, they are an indication that we have the opportunity to leverage new and emerging technologies to **enhance** ongoing recovery efforts. NARWs remain

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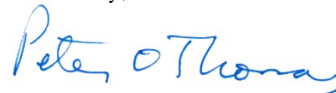
<sup>30</sup> For example, participants at NMFS's Vessel Strike Risk Reduction Technology Workshop expressed a preference for receiving information directly to their chart plotters or via AIS or U.S. Coast Guard broadcasts (Colligan et al. 2025).

<sup>31</sup> For more information, see <https://www.fisheries.noaa.gov/national/marine-life-distress/2016-2026-humpback-whale-unusual-mortality-event-along-atlantic-coast>

critically endangered and highly vulnerable to human-caused mortality, and technology has the potential to significantly enhance existing protections by improving whale detections, data integration and dissemination, compliance, and mariner decision-making when used in combination with existing management measures. The Commission commends NMFS for its increased efforts to protect NARWs in recent years and recommends that NMFS retain and strengthen current vessel strike protections while continuing to support the development, testing, and integration of technologies to further reduce vessel strike risk to NARWs. The Commission further recommends that NMFS refrain from amending the 2008 vessel speed rule until alternative measures have been demonstrated to provide greater protection for NARWs.

Please contact me if you have any questions concerning the Commission's recommendations.

Sincerely,



Peter O. Thomas, Ph.D.,  
Executive Director

cc: Kim Damon-Randall, Director, Office of Protected Resources  
Michael Pentony, Regional Administrator, Greater Atlantic Regional Fisheries Office

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