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Notices to Mariners

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Safety First, Service Always

Protection of the North Atlantic Right Whale

Canada 

***405/21 Gulf of St. Lawrence – Protection of the North Atlantic Right Whale**

Purpose

This notice describes the speed restriction zones that vessels must follow in the Gulf of St. Lawrence.

The Government of Canada has established these zones to reduce the risk of vessel collisions with North Atlantic right whales (NARW).

Context

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 specific zones. These speed restriction zones are defined as “static zones”, “dynamic shipping zones”, “seasonal management areas”, a trial “voluntary speed restriction zone” and a “restricted area”. [See the map below for details.](#)

Note: Navigational Warnings outlining the speed restrictions are considered to be Notices to Shipping, which vessels **must follow**. The *Interim Order for the Protection of North Atlantic Right Whales (Eubalaena Glacialis) in the Gulf of St. Lawrence, 2021* enables the issuance of Navigational Warnings (NAVWARNs) imposing speed restrictions or navigation restrictions.

Speed restriction zones are described in monthly Notices to Mariners (NOTMARs), which are published by the Canadian Coast Guard (CCG). The status of these zones are broadcast through NAVWARNs, which are published by the CCG’s Marine Communications and Traffic Services (MCTS) Centres.

Changes to speed restriction zones and measures

Based on consultations with industry and on scientific data, changes to the speed restriction zones will be effective from April 28, 2021, while the restricted area will be implemented based on whale presence:

- For a second consecutive year, a trial voluntary slowdown of 10.0 knots over the ground spanning from Cabot Strait (a line running from Cape North NS to Cape Ray NL) to the eastern edge of dynamic shipping zone E will be implemented at the beginning and end of the North Atlantic right whale season.
- Again this year, a restricted area located in and near Shediac Valley. The location and size are both based on historical data of North Atlantic right whale aggregations, while the triggering mechanism is based on in-season detections.
- As of this year, the 36.57 m (20-fathom) shallow water protocol will apply to all commercial fishing vessels.

Please refer to the latest NAVWARN issued by the CCG-MCTS for all speed restrictions currently in effect.

Speed Restriction Measures for 2021

These restrictions will be in effect from **April 28 to November 15, 2021**.

Exemption

The following exemption will apply to all measures:

- A vessel in distress or providing assistance to a person or a vessel in distress.

Static zones

In the static zones, **all** vessels above **13 m** in length overall (LOA) must proceed at a speed of not more than 10.0 knots over the ground.

Exceptions

Air cushion vessels operated by or on behalf of the Government of Canada that are engaged in ice-clearing activities from April to June in and around Chaleur Bay are exempted when in operation.

36.57 m (20-fathom) shallow water protocol

Vessels engaged in any commercial fishing activity may proceed at a safe operational speed in waters not more than 36.57 m (20 fathom) deep.

If a notice to fish harvesters states that at least one right whale has been detected within a static zone in waters that are not more than 36.57 m deep, the 10 knots speed limit will apply to all vessels above 13 m in length overall (LOA) 15 days after the day on which the notice comes into effect.

If a new notice to fish harvesters with the same statement is published or broadcast during the last seven days of the 15-day period, the speed limit will continue to apply for a further 15 days after the day on which the new notice comes into effect.

Coordinates for the northern static zone:

- 50° 20' N 065° 00' W
- 49° 13' N 065° 00' W
- 48° 40' N 064° 13' W
- 48° 40' N 062° 40' W
- 48° 03' N 061° 07.5' W
- 47° 58.1' N 061° 03.5' W
- 48° 00' N 061° 00' W
- 49° 04' N 061° 00' W
- 49° 04' N 062° 00' W
- 49° 43' N 063° 00' W
- 50° 20' N 063° 00' W

Coordinates for the southern static zone:

- 48° 40' N 065° 00' W
- 48° 40' N 062° 40' W
- 48° 03' N 061° 07.5' W
- 47° 58.1' N 061° 03.5' W
- 47° 10' N 062° 30' W
- 47° 10' N 065° 00' W

Dynamic shipping zones

There are five dynamic shipping zones (DSZ) located in the routing systems north and south of Anticosti Island: A, B, C, D and E

Coordinates for the dynamic shipping zones:

Zone 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

Zone 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

Zone 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

Zone 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

Zone E

- 48° 35' N 062° 00' W
- 48° 24' N 062° 00' W
- 48° 03' N 061° 07.5' W
- 47° 58.1' N 061° 03.5' W
- 48° 00' N 061° 00' W
- 48° 10.5' N 061° 00' W

When the Government of Canada detects a North Atlantic right whale in a dynamic shipping zone:

- All vessels will be notified via a NAVWARN; and
- Vessels above 13 m in length overall (LOA) must proceed at a speed of not more than 10.0 knots over the ground within that zone.

Speed restrictions in the dynamic shipping zones

The detection of North Atlantic right whales in one or more dynamic shipping zone(s), will trigger a speed restriction in the concerned zone(s). The speed restriction in the dynamic shipping zone(s) will be in effect for 15 days from the date of issuance of the NAVWARN. The speed restriction may be extended for an additional 15 days from the date that a new NAVWARN comes into effect, if North Atlantic right whales continue to be detected during the last 7 days of the 15-day slowdown period.

When a NAVWARN is issued implementing a speed restriction in one or more dynamic shipping zone(s), vessels above **13 m** in length (LOA) must not exceed a speed of 10.0 knots over the ground.

Within any zone that is not subject to a speed restriction, mariners may proceed at a safe operational speed. Mariners are encouraged to take into consideration the potential for their vessel striking North Atlantic right whales when considering a “safe operational speed” during navigation.

Seasonal management areas

Seasonal management area 1 (SMA-1) and seasonal management area 2 (SMA-2) are speed restriction areas located north and south of dynamic shipping zone E, respectively.

Within seasonal management areas, vessels above **13 m** in length (LOA):

- must restrict their speed so as not to exceed 10.0 knots over the ground from April 28 to June 29, 2021; and
- are allowed to proceed at a safe operational speed from June 30 to November 15, 2021, unless a North Atlantic right whale is detected. If a whale is detected, a speed restriction of 10.0 knots over the ground will be triggered for 15 days from the date of issuance of the NAVWARN. The speed restriction may be extended for an additional 15 days from the date that a new NAVWARN comes into effect, if North Atlantic right whales continue to be detected during the last 7 days of the 15-day slowdown period.

Coordinates for the SMA-1:

- 49° 04' N 062° 00' W
- 49° 04' N 061° 00' W
- 48° 10.5' N 061° 00' W
- 48° 35' N 062° 00' W

Coordinates for the SMA-2:

- 48° 24' N 062° 00' W
- 48° 03' N 061° 07.5' W
- 47° 58.1' N 061° 03.5' W
- 47° 26.69' N 062° 00' W

Restricted area

In the summer months, an important proportion of the total North Atlantic right whale population gathers for feeding and surface activity near the [Shediac Valley](#). Since this makes the North Atlantic right whale more susceptible to vessel collisions, a mandatory restricted area will be implemented in and near the [Shediac Valley](#) and will come into force once 80% of the restricted area is closed to fishing for the season as per [the Department of Fisheries and Oceans's right whale closure protocol](#). The restricted area will be lifted once the North Atlantic right whale detections decrease in the restricted area or at the latest on August 31, 2021.

The size and location of the area is determined based on historical detection data of North Atlantic right whales. All necessary details can be found in the Interim Order. Triggering and lifting of the restricted area will be communicated to mariners through a NAVWARN and notice to fish harvesters.

Vessels above **13 m** in length (LOA) will be required to:

- avoid the area unless they are part of the exceptions listed in the Interim Order;
- transit the area at a speed not exceeding 8.0 knots over the ground if they are included in the exception list.

The following exceptions will apply to the restricted area. Vessels listed can travel through the area at not more than 8.0 knots over the ground:

- A vessel being used for commercial fishing;
- A vessel being used for fishing under the authority of a licence issued under the Aboriginal Communal Fishing Licences Regulations;
- A vessel being used for research purposes on behalf of the Government of Canada
- A vessel being used as part of the Department of Fisheries and Oceans' Marine Mammal Response Program to assist a marine mammal or sea turtle in distress or to access or retrieve a deceased marine mammal or sea turtle;
- A vessel authorized by the Government of Canada to retrieve or identify the location of abandoned or lost fishing gear;
- A vessel involved in pollution response operations;
- A vessel avoiding immediate or unforeseen danger;
- A vessel being used to conduct geophysical or geotechnical surveys or related activities as part of a project, which the Minister of Fisheries and Oceans has reviewed, to lay electrical or communication cables;
- A vessel involved in research relating to right whales as part of a project that has received funding from the Government of Canada.

The following vessels can travel through the restricted area at a speed over 8.0 knots, but below 10.0 knots over the ground as required by the static speed restriction zone:

- A vessel being used by an employee of the Government of Canada or peace officer who is performing their duties.

The location and size of the restricted area will not be modified during the season.

Coordinates for the restricted area:

- 48°31.8' N 063°39.6' W
- 48°24.72' N 063°17.88' W
- 47°18.84' N 064°10.8' W
- 47°27.18' N 064°30.72' W

Inclement weather exception

Mariners will be notified in advance via a NAVWARN should the speed restriction status change in any zone or area, due to inclement weather.

Within any zone or area that is not subject to a speed restriction due to adverse weather conditions for example, mariners may proceed at a safe operational speed. Mariners are however encouraged to take into consideration the potential for their vessel striking North Atlantic right whales when considering a “safe operational speed” during navigation.

*Non-expected vessels are still prohibited from transiting through the restricted area.

Trial voluntary slowdown in Cabot Strait

To coincide with the North Atlantic right whales entering and exiting the Gulf of St. Lawrence in large numbers, a trial voluntary slowdown is being put in place for the second year in Cabot Strait from April 28 to June 29, 2021, and from September 29 to November 15, 2021.

- During these periods, vessels above 13 m in length (LOA) are requested to voluntarily reduce their speed so as to not exceed 10.0 knots over the ground.

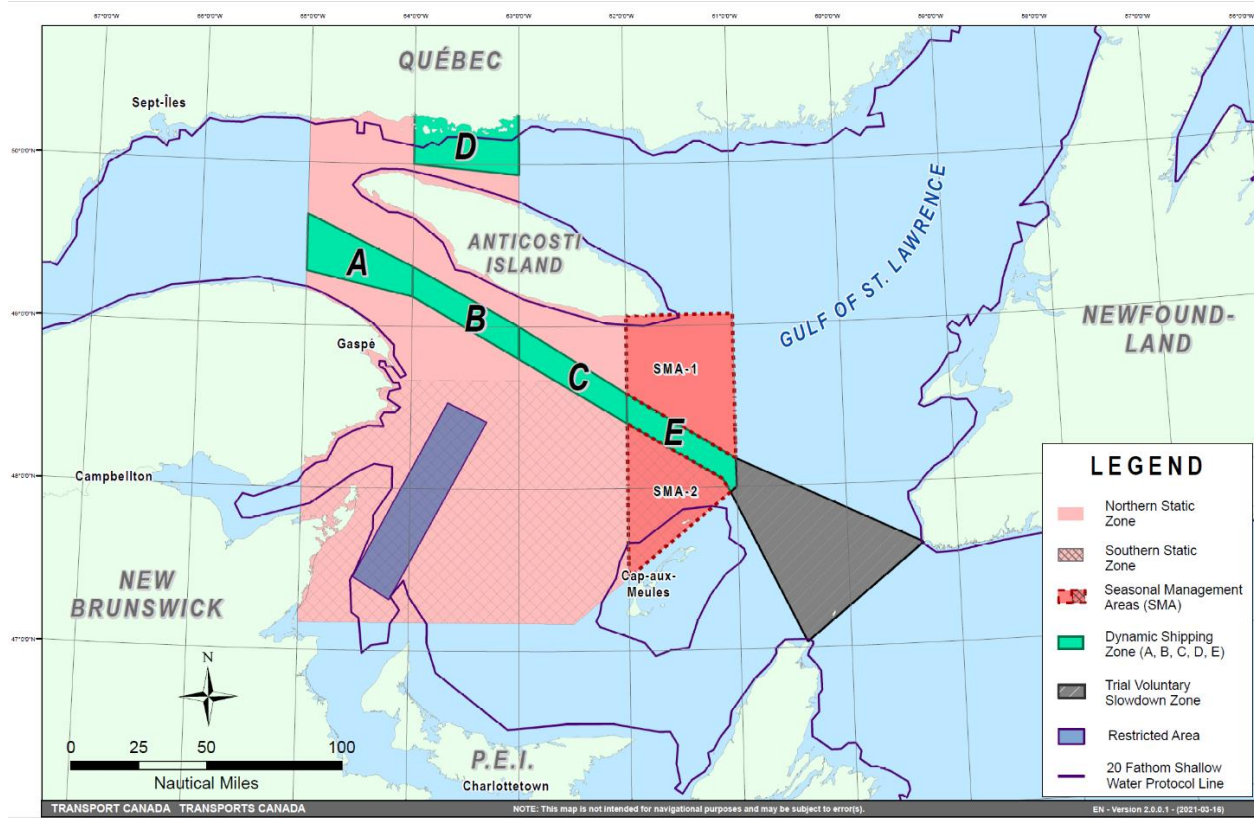
Voluntary slowdown zone coordinates:

- 48° 10.5' N 061° 00' W
- 47° 37.2' N 059° 18.5' W
- 47° 02' N 060° 23.7' W
- 47° 58.1' N 061° 03.5' W
- 48° 00' N 061° 00' W

Map of the Gulf of St. Lawrence

The following map shows

- the static zones, in pink;
- the dynamic shipping zones, in green;
- the seasonal management areas, in dark pink;
- the trial voluntary slowdown zone, in grey;
- the restricted area, in dark blue; and
- the 36.57 m (20 fathom) shallow water protocol line.



Map showing the two static zones (north and south), the five dynamic shipping zones (A, B, C, D and E), the seasonal management areas, the restricted area, the trial voluntary slowdown zone and the 36.57 m (20 fathom) shallow water protocol line.

This map is for visual representation only and is not to be used for navigation or enforcement.

NAVWARN broadcasts

The CCG-MCTS issues and publishes NAVWARNs:

- by radio broadcast; and
- online 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 restrictions, the NAVWARN(s) currently in effect will be provided to vessels subject to the *Vessel Traffic Services Zone Regulations* or the *Eastern Canada Vessel Traffic Services Zone Regulations*:

Outbound vessels

- at Calling-in-Point 10 (St-Laurent); 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 mandatory speed restriction zones; and/or
- at 10 nautical miles prior to entering the mandatory speed restriction zones

For those vessels not subject to the above-mentioned regulations, vessel operators are required to monitor broadcasts by the Canadian Coast Guard's Marine Communications and Traffic Services (MCTS) network for the most up to date information. For marine radio frequencies and broadcast times, information may be found in the [Radio Aids to Marine Navigation](#) publication.

Aids to navigation

The Canadian Coast Guard is currently testing virtual Automatic Identification System (AIS) aids to navigation (AIS AtoN) in specific areas, NOTMAR 208(T)/2021 refers. These aids notify mariners of a dynamic shipping zone and/or a seasonal management area subject to a speed restriction.

Each zone is delimited by four to six 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 broadcasts the virtual AIS AtoN only when a speed restriction is in effect in one or more testing zones.

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 zone.

Note: This system is not the primary method of communicating this information.

Compliance and enforcement

Vessels must comply with the Interim Orders made pursuant to the *Canada Shipping Act, 2001*, and any NAVWARNs broadcast and published by the Canadian Coast Guard relating to the Interim Orders, aimed at regulating the navigation for the purposes of protecting the North Atlantic right whales.

If a vessel does not comply with the Interim Orders or instructions in the NAVWARNs related to the Interim Orders, the vessel could face:

- administrative monetary penalties up to a maximum of CAN \$250,000; and/or
- penal sanctions under the Canada Shipping Act, 2001.

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

No exemptions to the speed restriction will be granted in advance. However, if a deviation from the speed restrictions is necessary for safety reasons, the following information must be entered into the bridge logbook:

- Reason(s) for deviation
- Speed at which vessel is operated
- Latitude and longitude at time of deviation
- Time and duration of deviation
- Master of the vessel shall sign and date the bridge logbook entry

For any deviation, 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

When there is a North Atlantic right whale that is entangled, injured or dead, please report it to the 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 live, free-swimming whales are sighted

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

Please consult WhaleMap for the latest right whale observations: <https://whalemap.ocean.dal.ca/>