



COMDTINST 16450.4

COMMANDANT INSTRUCTION 16450.4

Subj: EDUCATIONAL EFFORTS TO PROTECT THE NORTHERN RIGHT WHALE

- Ref: (a) Endangered Species Act (16 USC 1531, et seq.).  
(b) Endangered Species Act Regulations (50 CFR Parts 17 and 217, 220, 221, 222, 226, and 227).  
(c) Marine Mammal Protection Act (16 USC 1361, et seq.).  
(d) Marine Mammal Protection Act Regulations (50 CFR Parts 18, 216, 222, 227 and 229).

1. **PURPOSE:** This instruction outlines procedures for working with the National Oceanic and Atmospheric Administration (NOAA) and National Marine Fisheries Service (NMFS) to develop a system to educate mariners that they are entering Northern Right Whale critical habitat areas. Coast Guard efforts to educate mariners and participate in northern right whale conservation efforts will be guided by this instruction.

2. **DISCUSSION:**

a. Situation. There is an estimated population of approximately 300 northern right whales living in the northern Atlantic Ocean and they have been designated as endangered by the National Marine Fisheries Service/Department of Commerce. They are the rarest whales in the world and are protected from disturbance and injury by the Endangered Species Act of 1973 and the Marine Mammal Protection Act of 1972. Because this particular species frequently lies at the surface, they are very vulnerable to collisions with ships.

(1) General. The western North Atlantic right whale population seasonally inhabits the east coast of the United States and Canada and is the species' largest known population. In summer, most right whales use feeding grounds off New England and Canada and in winter females about to give birth and some juveniles use coastal waters off the southeastern U.S. The location of most of the population in winter is unknown. Five seasonal high-use right whale habitats have been identified: (1) a

winter calving area along the coast of Georgia and northern Florida; (2) a late winter feeding and nursery area in Cape Cod Bay; (3) a spring feeding area in the Great South Channel; (4) a summer/fall feeding and nursery area in the Bay of Fundy north of the US-CA border; and (5) a late summer/early winter feeding area at Browns Bank on the continental shelf south of Nova Scotia. Survival of this western North Atlantic population is in grave doubt, partly because of the low number of births in the population and the species' long calving interval. On average, mature females bear a single calf only once every four years. Surveys document an average of only 12 calves born every year.

- (2) Agencies Involved. U.S. Coast Guard, NMFS, NOAA, Department of Defense (DOD), Marine Mammal Commission (MMC), and other organizations involved in whale protection activities.
- (3) Assumptions.
  - (a) That the northern right whale will remain endangered for the near future and coordinated, pro-active measures will continue to be needed to enhance its chances for survival.
  - (b) That the Coast Guard will continue to interact with many aspects of the commercial and recreational maritime community, thereby being able to frequently educate, notify and coordinate efforts with both communities to stay current with northern right whale protection activities.

b. Philosophy.

- (1) The scope and operational demands of Coast Guard missions and responsibilities in the Atlantic Area necessitate the need for an effective, coordinated, interagency approach for additional conservation measures to protect the northern right whale. This approach, which consists of an increased awareness and education campaign, is designed to complement existing efforts by federal, state and local governments, as well as non-governmental agencies, to protect the northern right whale. This instruction defines a framework for employment of all Coast Guard members involved in the protection of northern right whales.
- (2) A ship reporting system will be developed with NMFS and NOAA to focus on merchant mariners operating merchant vessels greater than 300 gross tons. The Coast Guard will assist NOAA and other agencies in the acquisition and funding of an IRM provider to develop and run software and a database system that will receive reports submitted via INMARSAT by vessels approaching designated habitat areas. This IRM provider will transmit return messages providing approaching vessels with information and cautions for transiting right whale habitat areas. Vessels not

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equipped with INMARSAT will be required to make their reports via MF, HF, or VHF to an appropriate Coast Guard communications station or marine safety office which will forward the information to the IRM contractor.

- (3) Coast Guard forces will perform proactive, timely, aggressive educational efforts to all Coast Guard units operating in or near northern right whale critical habitats and to non-Coast Guard mariners.

3. **MISSION/OBJECTIVES:**

- a. Develop and deliver northern right whale educational packages to all merchant ships, commercial fishing vessels, and as many recreational vessels as reasonable, in East Coast ports.
- b. Use Coast Guard Auxiliary to provide training and information to recreational boaters and fishers.
- c. Coordinate Coast Guard air and surface resources closely with commercially contracted Early Warning System (EWS) flights. Coast Guard resources are to report northern right whale sightings to the EWS, and will also investigate, as operations permit, northern right whale sightings reported by third parties (e.g. merchant mariners, fishing vessels).

4. **ACTION:**

a. Execution.

- (1) Command. Area and district commanders, commanders of maintenance and logistics commands, commanding officers of headquarters units, assistant commandants for directorates, Chief Counsel, and special staff offices at Headquarters shall comply with this instruction and take for action all responsibilities which fall under their program duties.

(2) Critical Habitats.

- (a) Northeastern United States. Geographical boundaries of the proposed northeast area include the water of Cape Cod Bay, Massachusetts Bay, and the Great South Channel east and southeast of Massachusetts. Coordinates of the proposed area are as follows: from a point on Cape Ann, Massachusetts at 4239' N, 70 37' W; then northeast to 4245' N, 70 13' W; then southeast to 4210' N, 68 31' W; then south to 4100' N, 68 31' W;

COMDTINST 16450.4 then west to 4100' N, 69 17' W; then northeast to 4205' N, 70 02'W, then west to 4204' N, 70 10' W; and then along the Massachusetts shoreline of Cape Cod Bay and Massachusetts Bay back to the point on Cape Anne at 4239' N, 70 37' W.

- (b) Southeastern United States. Geographical boundaries of the proposed southeast area include coastal waters within about 25 nm (45 km) along a 90 nm (170 km) stretch of the Atlantic seaboard in Florida and Georgia. The area extends from the shoreline east to longitude 8051.6' W with the southern and northern boundary at latitudes 30 00' N and 3127' N, respectively.

(3) Tasking.

- (a) Commandant (G-MOV/G-OPL) will coordinate with NOAA/NMFS the development of a ship reporting system designed to decrease the threat posed to the northern right whale by ship traffic. These offices will also be responsible to help publicize this effort and other educational efforts to all facets of the maritime industry.
- (b) Commandant (G-MOC) will:
  - 1. Work with Atlantic Area to deliver educational packages to the appropriate Districts and their Marine Safety Offices (MSOs) listed in enclosure (1). The educational package will contain materials describing the plight of the Northern Right Whale, its critical habitat, and protective measures. The package will be provided to vessels during port state control boardings, Commercial Fishing Industry Vessel Safety Act (CFIVSA) voluntary dockside exams, and other appropriate interactions with the marine community. The MSOs will initiate dissemination of materials within 30 days of G-MOC receiving them, and distribute the materials with a goal of providing within one year a package to all foreign vessels visiting U.S. east coast ports. Packages will be provided to U.S. vessels as operations permit.
  - 2. Provide additional materials to task units when initial supplies are exhausted.
- (c) Commandant (G-OPL) will develop and coordinate the reproduction of appropriate northern right whale educational material (existing pamphlets, placards, videotapes, etc) for distribution.
- (d) Coast Guard Marine Safety Offices will:

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1. Deliver educational materials to all foreign flag vessels on the east coast during regularly scheduled Port State Control exams and boardings.
  2. Deliver educational materials to all east coast commercial fishing vessels, and any other U.S. flag commercial vessels that operate beyond the baseline, during scheduled dockside exams and boardings.
  3. Coordinate with the pertinent District and local auxiliary offices, and if feasible, have properly trained Auxiliarists accompany Port State Control officials conducting inport inspections/visits on U.S. and foreign-flag merchant vessels to discuss right whale concerns. This action would fulfill the purpose of alerting and educating bridge watch personnel, specifically the Master and Chief Mate, of the current northern right whale situation as well as providing them an opportunity to ask questions.
- (e) Coast Guard Regional Fisheries Training Centers (RFTCs) will:
1. Work with merchant marine industry from Maine to Florida (inclusive) to educate and inform as many maritime organizations as possible of current efforts to protect right whales.
  2. Conduct northern right whale training for designated Auxiliary personnel and work with the Coast Guard Auxiliary to develop and ensure their courses of instruction include right whale educational information.
  3. Conduct northern right whale training for Air Station flight crews.
- (f) Coast Guard Public Affairs program will:
1. Increase awareness of the status of the right whales and of the Coast Guard's role in the coordinated interagency efforts to protect the species.
  2. Engage coordinating directorates in the development of the message, the identification of strategic publics affected by and affecting the right whale protective program, and the determination of the most effective means to reach specific publics.
  3. Promote awareness of the right whale and incorporate use of the prepared materials in planned community relations events that engage both the marine community (merchant, fishing, recreational operators) and non-marine community (schools, clubs, associations, etc.) so as to educate as many people as possible of the dangers facing right whales.

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(4) Reports.

- (a) COMDT (G-M) will provide monthly reports to COMDT (G-O) that contain the names and flag states of all foreign flagged vessels over 300 GT that were subject to Port State Control examinations in ports listed in enclosure (1).
- (b) All units shall continue to document right whale training received and to use established reporting mechanisms to document northern right whale protection efforts.

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Encl: (1)List of East Coast Ports that will distribute Northern Right Whale education packets.

East Coast Marine Safety Offices that will distribute Northern Right Whale education packets:

1. Marine Safety Office Miami, FL
2. Activities New York (COTP), NY
3. Marine Safety Office Hampton Roads, VA
4. Marine Safety Office Philadelphia, PA
5. Marine Safety Office Charleston, SC
6. Marine Safety Office Savannah, GA
7. Marine Safety Office Baltimore, MD
8. Marine Safety Office Boston, MA
9. Marine Safety Office Portland, ME
10. Marine Safety Office Wilmington, NC
11. Marine Safety Office Providence, RI
12. Marine Safety Office Jacksonville, FL
13. Marine Safety Office Long Island Sound, NY