

## **Using Corporate Responsibility to Increase Vessel Compliance with NOAA's Right Whale Ship Strike Rule, Provide Increased Protection of North Atlantic Right Whales, and Recognize the Achievements of Deserving Maritime Companies**

A report to the International Fund for Animal Welfare and National Marine Sanctuary Foundation

Stellwagen Bank National Marine Sanctuary, 175 Edward Foster Road, Scituate, MA 02066

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Report date: 22 January 2021

Summary: Data from the US Coast Guard's Automatic Identification (AIS) system for 201 ships and 96 companies transiting NOAA's Off Race Point and Cape Cod Bay Right Whale Seasonal Management Areas (SMAs) during 2020 were analyzed. Ships and companies were graded A+ - F, based on their level of compliance with the required 10 knot speed limit for those areas. Each ship or company was sent a **"report card" package containing (1) a map showing their transits through the SMAs, (2) each transits' level of compliance, and (3) their overall grade based on the aggregation of all transits. Ships receiving grades of A+ or A received a Certificate of Corporate Responsibility** demonstrating their commitment to Right Whale Conservation. As an aid to compliance, each package also contained information on NOAA's *Whale Alert* app. *Whale Alert* is a free smartphone/tablet application that displays all information mariners need for complying with SMA and other conservation measures. It can be downloaded from [WhaleAlert.org](http://WhaleAlert.org)

**Eighty-four percent of ships and 82% of companies received grades of A+ or A and 5% received a grade of F.** For commercial shipping categories, the "Tug" category received the most favorable grades (93% A & A+; 0% F), followed by "Cargo" (93% A & A+; 4% F) and "Tanker" (78% A & A+; 0% F). Passenger vessels were once again identified as a community in need on increased outreach and education (63% A & A+, 0% B, 9% C and 9% D and 18% F), but the sample size was small (n=11), as most vessel in this class do not currently carry AIS transmitters.

Lethal injury from collisions with large vessels is a main problem facing the recovery of North Atlantic Right whales, a species that remains on the brink of extinction and has been in decline since 2010. From 2010 – 2012, the Stellwagen Bank National Marine Sanctuary (SBNMS) conducted a highly regarded "Report Card" Program detailing the compliance and commitment of vessels traversing the Cape Cod Bay and Off Race Point Seasonal Management Areas (SAMs).

SAMs require that ships slow to speed 10 knots or less to reduce the risk and consequences of collisions between right whales and large ships. This project has been considered a model program and was provided the international Society for Marine Mammalogy's 2011 award for Excellence in Science Communication.

More recently, there has been considerable attention directed at the concept of corporate responsibility, and its ability to encourage companies to increase their commitment to behaviors that are in the public interest. This program is using the Report Card model in combination with the corporate responsibility paradigm to increase the maritime industry's awareness of, and compliance with, NOAA's right Whale Ship Strike Rule. In doing so, the project will provide increased protection to North Atlantic Right Whales, recognize deserving maritime companies for their contribution to right whale conservation and provide incentive and information to companies needing to improve.

#### **Highlights:**

##### **Increased mariner compliance identified for SMAs covered by the Right Whale Corporate Responsibility Project (RWCR)**

**NOAA's National Marine Fisheries Service (NMFS)** recently completed a compliance analysis of shipping relative to SMAs and DMAs along the entire eastern seaboard of the US (see: National Marine Fisheries Service. 2020. North Atlantic Right Whale (*Eubalaena glacialis*) Vessel Speed Rule Assessment. National Marine Fisheries Service, Office of Protected Resources, Silver Spring, MD.). **This report identified the SMAs specific to this project as having the highest compliance levels of all SMAs, and SMAs in the northeast, which is primarily the population of ships and companies involved with the RWCR project, of demonstrating higher compliance rates than SMAs in the mid-Atlantic and southeast.** A description of the RWCR project can be found at page 32 of the report and figure 68 displays a sample report card. The report also recognized Whale Alert for its outreach to mariners and the public (pages. 34 -35).

##### **Formalized Relationship with National Marine Fisheries Service's Greater Atlantic Regional Fisheries Office (GARFO)**

While the project has had a long collaboration with GARFO, this is the first year that the GARFO Regional Administrator has signed the letter and Corporate Responsibility Certificates that are part of the mailing to each vessel and company. **GARFO Regional Administrator Michael Pentony signed the Corporate Responsibility Certificates and project letter sent to vessel and companies.**

## Recognition by the maritime industry

The maritime industry's **Vroon Group (The Netherlands)** in the company's most recent edition of its corporate magazine **News Express** showcased the project.



The 70-page, full color magazine included a 2-page spread describing NOAA's speed restrictions to protect North Atlantic right whales, and the RWCR project. All of the Vroon Group's Iver Ships received A grade certificates for compliance. Under the heading, **Iver Ships Committed to Whale Protection**, the feature includes a photograph of the Iver ship "Acadian" and its certificate, and concludes by stating, *"We are proud of our masters and crews for their adherence to the restrictions and contribution to the protection of this great animal. Well done!"* The feature also includes a QR code that links to the ONMS website and a story about the Corporate Responsibility project. The text specifically identifies IFAW's leadership in the project.

## **Presentations:**

**ONE NOAA** seminar: Right Whales and Shipping: Using Corporate Responsibility to protect right whales from ship strike

**Northeast Implementation Team** of the Right Whale Recovery Team: Right Whales and Shipping: Using Corporate Responsibility to protect right whales from ship strike

**Boston Port Operators Group**: Results of 2019 Right Whale Corporate Responsibility Project



Above, SBNMS Research Coordinator Dr. David Wiley presents the RWCR project 2019 results to the Boston Port Operators Group (POG). The POG is comprised of the multiple maritime interest centered on the port of Boston, MA

## **Event Cancelled**

This year, the RWCR team planned an event to honor ships and companies that received Corporate Responsibility Certificates. The event, titled, “**Welcome to the A List**” was to be held at the New England Culinary Arts Training Center, in Boston, MA. The event was **cancelled due to COVID 19**



restrictions. COVID 19 restrictions will also curtail the event in 2021. The invitation created for the event is below.

A photograph of a whale breaching the ocean surface, with its large tail fluke and part of its body visible above the water. The background is a clear blue sky and the ocean surface.

# Welcome to the A List!

*Right Whales Thank the Shipping Industry*

The Right Whale Corporate Responsibility project invites you to celebrate your remarkable achievement with

*COCKTAILS APPETIZERS  
& ENTERTAINMENT*

**Thursday April 30th  
6 till 9pm**

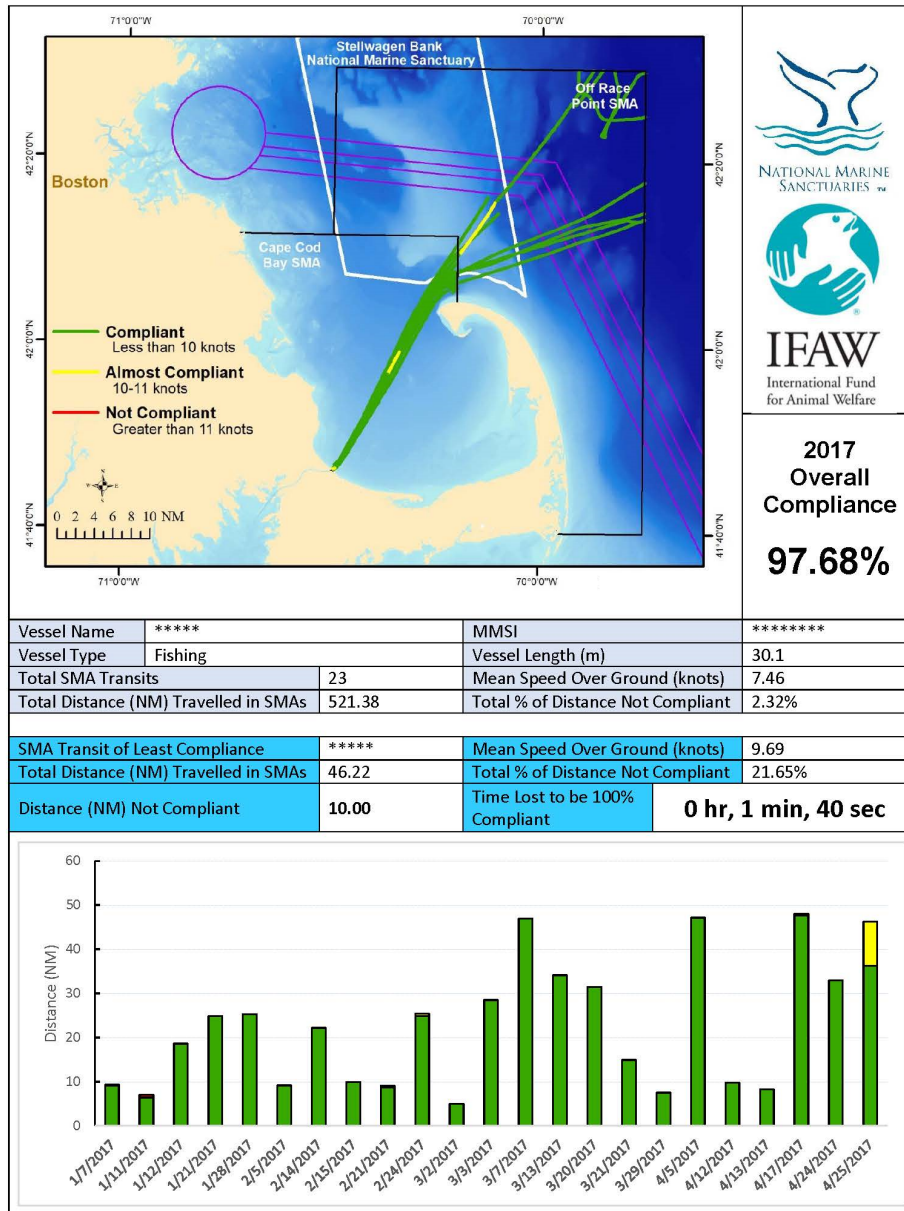
**New England Culinary  
Arts Training  
23 Bradston Street Boston**

RSVP by April 15th  
[rebecca@southcoastalmanac.com](mailto:rebecca@southcoastalmanac.com)  
508 922 4030



The following objectives of the grant have been accomplished:

1. Report Cards for **201 ships and 96 companies** were completed. A sample Report Card is below.



**How Have Vessel Grades Been Determined?**

Vessel grades are determined by analyzing ship speed derived from AIS tracks. Using AIS data we calculate a vessel's commitment to complying with NOAA's Right Whale Ship Strike Rule Rule when transiting the Off Race Point and Cape Cod Bay Seasonal Management Areas. Commitment is defined as the percent of distance traveled at compliant speed, combined with mean travel speeds (see below). Corporate Responsibility ratings range from A+ - F.

**A+: 99 - 100% and mean speed  $\leq 10$  kts.**

**A: 90 - 98.9% or mean speed  $\leq 10$  kts. and mean speed least compliant transit  $\leq 10$  kts.**

**B: 80 - 89.9% or mean speed  $\leq 10$  kts. and mean speed least compliant transit  $\leq 10.5$  kts.**

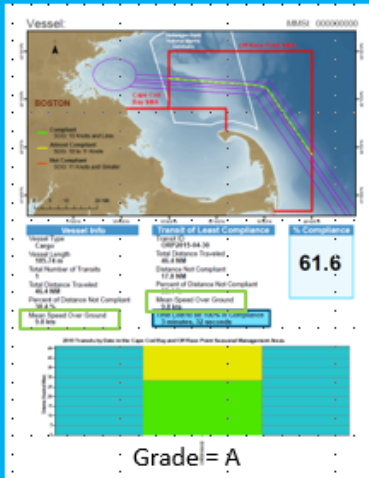
**C: 70 - 79.9% or mean speed 10 - 10.5 kts. and mean speed least compliant transit 10.5 - 11 kts.**

**D: 60 - 69.9% or mean speed  $> 10.5$  kts. and mean speed least compliant transit  $> 11$  kts.**

**E:  $< 60\%$  or mean speed  $> 11$  kts. and mean speed least compliant transit  $> 11.5$  kts.**

**F:  $< 50\%$  or mean speed  $> 11.5$  kts. and mean speed least compliant transit  $> 12$  kts.**

**Grading Example:** In the above report card, the ship transited only 61.6% of the SMA at compliant speed (Grade = D). However, the mean speed of the transit was  $< 10$  kts and the mean least compliant transit speed was also  $< 10$  kts. The ultimate grade was an A.



The screenshot shows a NOAA AIS report card for a vessel transiting the Off Race Point and Cape Cod Bay Seasonal Management Areas. The report card displays the following statistics:

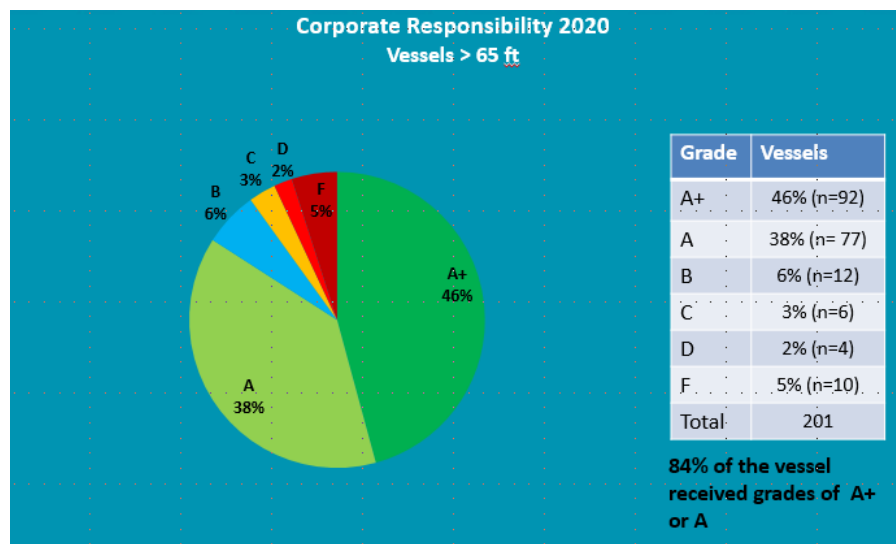
- Vessel Type: Large
- Vessel Length: 100.0 m
- Total Distance Traveled: 10.0 km
- Total Distance Not Compliant: 0.0 km
- Percent of Distance Not Compliant: 0.0%
- Mean Speed Over Ground: 10.0 kts
- Mean Speed of Vessels in Compliance: 10.0 kts
- Mean Speed of Vessels in Non-Compliance: 10.0 kts

The final grade is A.

**This is a substantial improvement from 2018.** For 2018, the “Tug” category received grades (86% A & A+; 0% F), followed by “Cargo” (77% A & A+; 6% F) and “Tanker” (61% A & A+; 11% F).

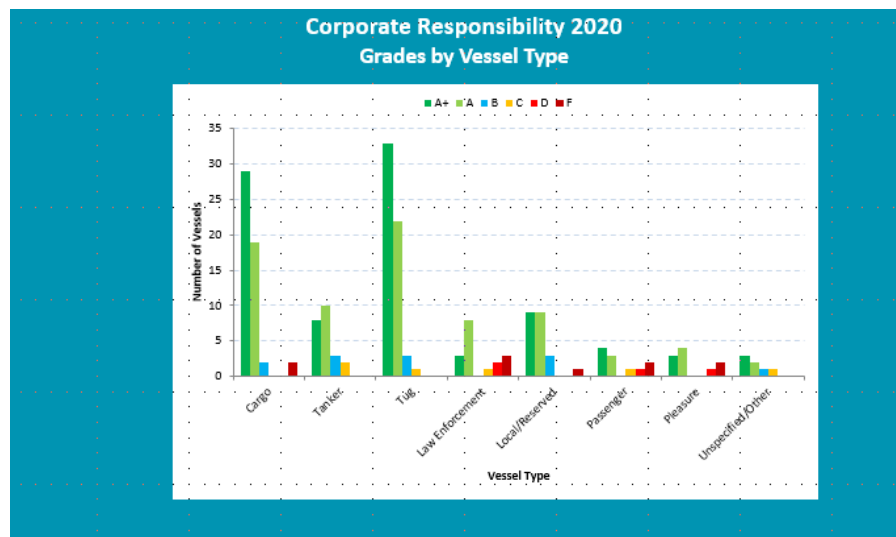
It should be noted that the **Ship Strike Rule does not restrict law enforcement vessels involved in emergency operations.**

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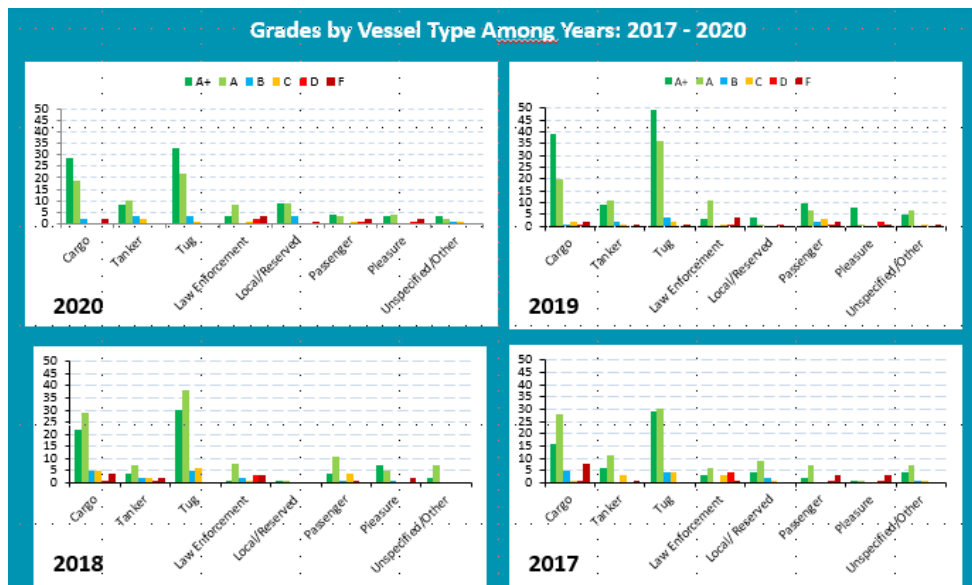
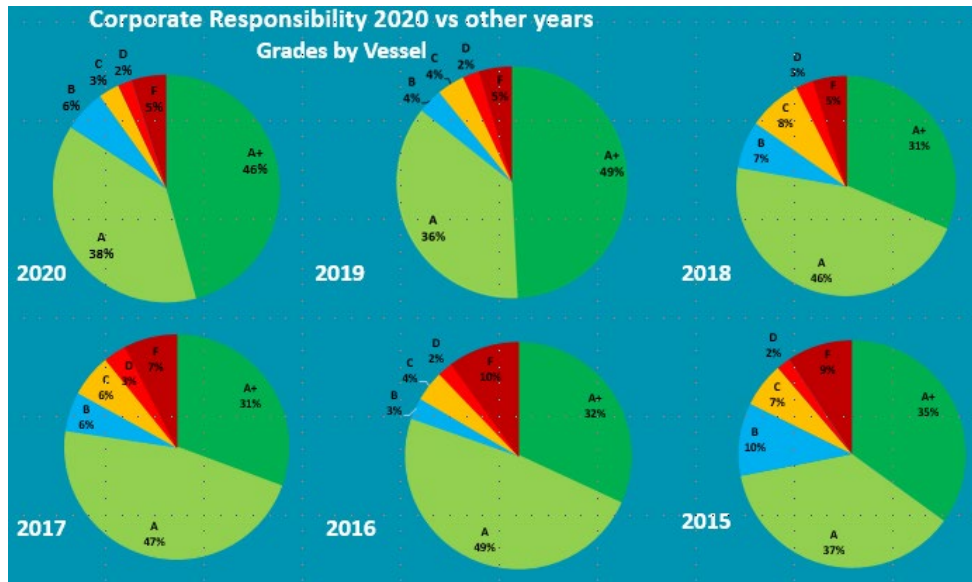
### Corporate Responsibility 2020 Grades by Vessel Type (Percent of Grade by Vessel Type): n=201

| Vessel Type  | A+         | A          | B         | C         | D         | F         | Total |
|--|------------|------------|-----------|-----------|-----------|-----------|-------|
| Cargo  | 56% (n=29) | 37% (n=19) | 4% (n=2)  | 0% (n=0)  | 0% (n=0)  | 4% (n=2)  | 52    |
| Tanker   | 35% (n=8)  | 43% (n=10) | 13% (n=3) | 9% (n=2)  | 0% (n=0)  | 0% (n=0)  | 23    |
| Tug  | 56% (n=33) | 37% (n=22) | 5% (n=3)  | 2% (n=1)  | 0% (n=0)  | 0% (n=0)  | 59    |
| Law Enforcement<br>Including Military and<br>Search and Rescue | 18% (n=3)  | 47% (n=8)  | 0% (n=0)  | 6% (n=1)  | 12% (n=2) | 18% (n=3) | 17    |
| Local, Reserved,<br>And Dredgers                               | 41% (n=9)  | 41% (n=9)  | 14% (n=3) | 0% (n=0)  | 0% (n=0)  | 5% (n=1)  | 22    |
| Passenger<br>And High Speed Craft                              | 36% (n=4)  | 27% (n=3)  | 0% (n=0)  | 9% (n=1)  | 9% (n=1)  | 18% (n=2) | 11    |
| Pleasure<br>And Sailing  | 30% (n=3)  | 40% (n=4)  | 0% (n=0)  | 0% (n=0)  | 10% (n=1) | 20% (n=2) | 10    |
| Unspecified/Other  | 43% (n=3)  | 29% (n=2)  | 14% (n=1) | 14% (n=1) | 0% (n=0)  | 0% (n=0)  | 7     |

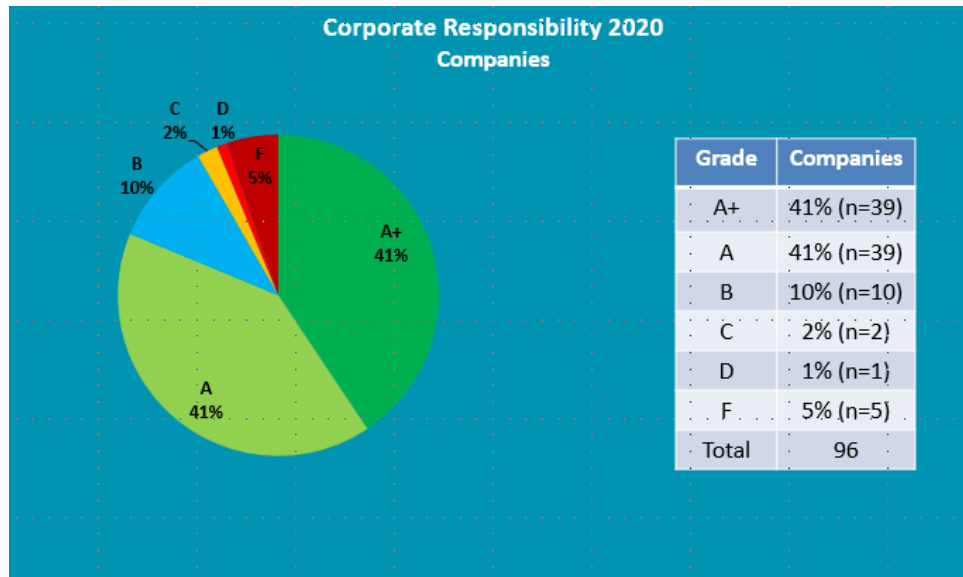




3. **Comparing project years** (2015 – 2020), the combined A and A+ categories have been 72% (2015), 81% (2016) 78% (2017), 77% (2018), 85% (2019) and 84% (2020). Years 2018, 2019 and 2020 had the least percent of failing (F) grades (5% each).



4. Grades were also calculated for 96 companies involved with the vessels. **Eighty-two percent of companies received a grade of A+ or A and 5% received a grade of F.**



5. A **Corporate Responsibility certificate** highlighting the grade received by a ship or company, and signed by SBNMS, IFAW and NMFS leaders, was provided to all ships and companies receiving A+ and A grades.



6. The address for all companies in the AIS/MSI database were obtained from the United States Coast Guard and web searches by SBNMS staff.

7. Report Cards for all companies and ships and **Corporate Responsibility** certificates for companies and ships with A+ or A ratings have been mailed (January 2020). Mailings were slightly delayed due to COVID 19 restrictions on office time, which inhibited AIS/GIS analysis and the production of mailing packets. Information on ***Whale Alert*** was included in each mailing. A sample mailing package is included in Appendix 1 of this report.

#### **Appendix I**

A sample mailing package (attached).

