



The Commonwealth of Massachusetts

Division of Marine Fisheries

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January 19, 2023

Marine Fisheries Advisory

EARLY AGGREGATIONS OF SURFACE FEEDING RIGHT WHALES IN CAPE COD BAY

The Massachusetts Division of Marine Fisheries (*Marine Fisheries*) is alerting all mariners in Cape Cod Bay about the risk of vessel collision with a large aggregation of North Atlantic right whales recently observed in Cape Cod Bay. On January 18, 2023, the Center for Coastal Studies aerial survey team documented at least 27 right whales in lower and eastern Cape Cod Bay, which were surface and subsurface feeding. A surface feeding aggregation of this size is typical in the spring but less commonly observed in the winter months. Due to the early presence, behavior, and size of the aggregation, DMF is urging mariners to use extreme caution when transiting Cape Cod Bay. Zooplankton sampling indicates high concentrations at the surface that are expected to last a week or more. Although right whales will likely switch to feeding on zooplankton species closer to the seafloor, the current feeding behavior at the surface warrants vigilance from mariners. For the safety of both mariners and whales, **vessel operators in this area are strongly urged to proceed with caution, reduce speed (less than 10 knots), and post lookouts to avoid colliding with these highly endangered whales.**

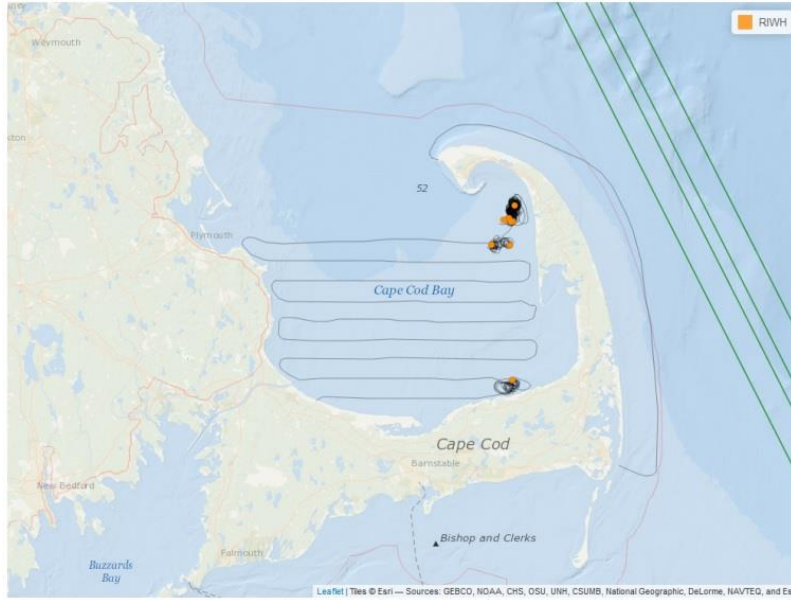


Figure 1. Documented right whales during a partial survey on January 18, 2023

Federal law prohibits vessels greater than 65 feet in length from exceeding speeds of 10 knots in Cape Cod Bay from January 1 – May 15 each year. However right whales are still vulnerable to collision with smaller vessels, especially in the spring when recreational vessel traffic increases. To reduce this risk, DMF has implemented a small vessel speed limit for vessels less than 65 feet in length in March and April each year, during the height of the surface and subsurface feeding activity. The small vessel speed restriction can be extended into May if whales remain in the area.

Vessels are also prohibited by state and federal law from approaching within 500 yards of a right whale. Massachusetts Environmental Police and U.S. Coast Guard are authorized to enforce the 500-yard rule. Vessels that find themselves within 500 yards of a right whale should slowly and cautiously exit the area.

For more information regarding the management of protected marine species in Massachusetts, please visit our website (www.mass.gov/marinefisheries) or call DMF at 617-626-1520.