

Daniel J. McKiernan

Acting Director

Commonwealth of Massachusetts

Division of Marine Fisheries 251 Causeway Street, Suite 400 Boston, Massachusetts, 02114 (617) 626-1520 fax (617) 626-1509



Charles D. Baker Governor Karyn E. Polito Lieutenant Governor Kathleen Theoharides Secretary Ronald S. Amidon Commissioner Mary-Lee King Deputy Commissioner

April 27, 2020 MarineFisheries Advisory

SEASONAL SPEED LIMIT RESTRICTION EXTENDED THROUGH MAY $7^{\mbox{\tiny TH}}$

As a result of the continued presence of endangered right whales in Cape Cod Bay, the Director of the Division of Marine Fisheries is extending the seasonal speed limit restrictions through May 7th (Notice of Declaration). Accordingly, all vessels with an overall length of less than 65' (small vessels) operating within those waters of Cape Cod Bay south of 42° 08' north latitude and north and east of Cape Cod west of 70°10' west longitude may not travel at a speed of greater than 10 knots (see map). Vessels with an overall length of 65' or greater are subject to a federal 10 knot speed limit rule in this area through May 15th (federal rule).



This rule is designed to prevent ship strikes with endangered right whales that are currently surface feeding in the area.

Exempt from this are law enforcement and emergency personnel operating within their course of authorized duties, including federal whale disentanglement personnel responding to an entangled whale, as well as any small vessel operating in the harbors of Plymouth, Kingston, Duxbury, Barnstable and Wellfleet. The duration of this speed limit restriction may be shortened or extended based on continuing aerial and vessel-based surveys. DMF will update the public regarding any such adjustments.

On April 25, 2020, the Provincetown Center for Coastal Studies conducted an aerial survey for right whales in Cape Cod and along the Outer Cape. The survey estimated there were five right whales feeding at or near the surface in southern Cape Cod Bay. Among the five whales were two mother calf/pairs. The presence of these mother/calf pairs elevates the need for conservative management. The population of right whales is suffering due to low birth rates and excessive mortality to adults. This year saw a slight increase in calves with 10 sighted off the Southeast U.S.

In past years mother/calf pairs have been seen in Cape Cod Bay during late April and early May,

after the larger aggregations of adult whales have departed. These mother/calf pairs exhibit unique behaviors and are capable of wandering to unpredictable locations. Based on historical precedence and the amount of zooplankton available in the Bay, these mother/calf pairs are not expected to linger long. As soon as the weather allows, flights will be conducted to assess the situation, and DMF has the authority to amend the closure within a day of the results.

For more information about the management of protected species in Massachusetts, contact DMF at 617-626-1520 or visit our website at <u>www.mass.gov/marinefisheries</u>.