



COMDTINST 16214.3
DEC 14 1999

COMMANDANT INSTRUCTION 16214.3

Subj: NORTHERN RIGHT WHALE MANDATORY SHIP REPORTING SYSTEM

Ref: (a) Ports and Waterways Safety Act, 33U.S.C., Section 1230
(b) International Maritime Organization Resolution A.648(16), Principles for Ship Reporting Systems and Ship Reporting Requirements (NOTAL)
(c) Educational Efforts to Protect the Northern Right Whale, COMDTINST 16450.4

1. **PURPOSE.** This Instruction sets forth the policy and procedures for Coast Guard participation in the Mandatory Ship Reporting system (MSR) established in reference (a). The MSR was established off the eastern United States to protect the endangered northern right whale. This Instruction provides guidance to various Coast Guard units and staffs responsible for ensuring compliance with the MSR.
2. **ACTION.** Area commanders and district commanders and assistant commandants for directorates shall ensure compliance with the provisions of this Instruction.
3. **DIRECTIVES AFFECTED.** None.
4. **BACKGROUND.** Despite over 60 years of protected status, the northern right whale has shown no significant signs of recovery. The population currently numbers approximately 300 to 350 individuals. The MSR is the latest in a series of efforts aimed at protecting the northern right whale, which remains the most endangered species of large whale. Ship strikes account for nearly one third of all known right whale mortalities. Stranded animals routinely show signs of ship strikes such as propeller injuries and fractured or broken bones. In an effort to reduce the number of whales killed or injured by ship strikes, the United States proposed creation of a ship reporting system to educate merchant mariners on the plight of the right whale, and provide them with information about reducing the risk of ship strikes. The United States presented the proposal to the International Maritime Organization (IMO), which formally adopted the system in December, 1998, as part of Resolution A.858(20). The MSR commenced operation on 1 July 1999. It requires all commercial vessels, 300 gross tons and over, to report to the Coast Guard upon entering two designated reporting areas. Vessels will receive a reply message containing information about the right whale, advice on how to reduce the risk of ship strikes, and current right whale sighting information.

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5. **REPORTING AREAS.** The MSR encompasses two distinct reporting areas. The northeast area, WHALESNORTH, protects a critical right whale feeding ground. The geographic boundaries of this area include the waters of Cape Cod Bay, Massachusetts Bay, and the Great South Channel east and southeast of Massachusetts. Coordinates of the area are as follows: from a point on Cape Ann, Massachusetts at 4239'.00N, 70 37'.00W; then northeast to 4245'.00N, 70 13'.00W; then southeast to 4210'.00N, 68 31'.00W; then south to 4100'.00N, 68 31'.00W; then west to 4100'.00N, 69 17'.00W; then northwest to 4205'.00N, 70 02'.00W; then west to 4204'.00N, 70 10'.00W; and then along the Massachusetts shoreline of Cape Cod and Massachusetts Bay back to the point on Cape Ann at 4239'.00N, 70 37'.00W [NOAA Chart No. 13009 (see enclosure (1))]. The southeast area, WHALESSOUTH, protects the only known right whale calving grounds and operates from 15 November through 15 April. The geographic boundaries of the southeast reporting area include coastal waters within about 25 nautical miles along a 90 nautical mile stretch of the Atlantic seaboard in Florida and Georgia. The area extends from the shoreline east to longitude 8051'.60W, with the southernnorthern boundaries at latitudes 30 00'.00N and 3127'.00N, respectively [NOAA Chart No. 11009 (see enclosure (2))].

6. **REPORTING METHODS FOR COMMERCIAL VESSELS.** The Coast Guard obtained a contractor to construct and operate the MSR communication system and database. Accounting for the numerous responsibilities and demands on our communication facilities, operational units, and merchant mariners, the MSR was designed as an automatic system. It is estimated that 95 percent of commercial vessel traffic will be able to report via INMARSAT C, the primary reporting method. The remaining five percent will use other satellite communications, or will be urged to report to the Coast Guard Communication Area Master Station Atlantic (CAMSLANT). However, the Coast Guard can not mandate the method by which a vessel can report into the system and can only recommend vessels follow the prescribed reporting methods. Upon entry to either WHALESNORTH or WHALESSOUTH, all vessels meeting the reporting requirements must report pertinent vessel information to the Coast Guard via the MSR. Ships are required to report directly to the MSR system and should not use e-mail batching or routing service companies, which can delay the receipt of MSR reply messages. Ship reportbe made via the recommended communication methods, which are listed below in order of precedence:
 - a. Report directly via INMARSAT C to one of the following addresses: E-mail: RightWhale.MSR@noaa.gov or Telex: 236737831

 - b. Vessels not equipped with INMARSAT C should report via alternate satellite communications equipment directly to one of the following addresses: E-mail: RightWhale.MSR@noaa.gov or Telex: 236737831

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- c. Vessels unable to use satellite communications equipment should contact CAMSLANT via SITOR/NBDP on published frequencies.
- d. Vessels unable to use satellite communications or SITOR/NBDP should contact CAMSLANT via published voice frequencies.

7. **REPORTING INSTRUCTIONS FOR COMMERCIAL VESSELS.** Ship reports shall be made in accordance with reference (b). Reports shall be made directly to the MSR upon entering reporting areas. Vessels making numerous port calls within an area do not have to file additional reports. No reports are required when vessels are leaving port or exiting the reporting area.

a. Vessels shall report the following information:

Paragraph	Function	Information Required
	System name	System identifier
		Ship reporting system name (whalesnorth or whallessouth).
M	INMARSAT number	Vessel INMARSAT number.
A	Ship	Vessel name and call sign.
B	Date, time, and month of report	Six digit group giving day of month and time, single letter indicating time zone, and three letters indicating month.
E	True course	3-digit number indicating true course.
F	Speed in knots and tenths	3-digit group indicating knots and tenths.
H	Date, time, and point of entry into system	Date and time expressed as in (B) and latitude and longitude expressed as a four digit group giving latitude, the letter N indicating north, then a five digit group giving longitude, and the letter W indicating west.
I	Destination and ETA	Name of port and arrival time expressed as in (B).
L	Route information	Route info should be reported as either a direct rhumbline to port (RL) and intended speed expressed as in (F), or a series of waypoints (WP). Vessels reporting waypoints should include latitude and longitude, expressed as in (H), and intended speed between waypoints. For vessels transiting within a traffic separation scheme (TSS), give only the waypoints and intended speed for entry and departure of TSS.

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- b. The following are examples of ship reports using the standard

IMO reporting format:

To: RightWhale.MSR@noaa.gov

To: RightWhale.MSR@noaa.gov

WHALESSOUTH//

M/412345678//

A/BEAGLE/CDAR//

B/270810Z MAR//

E/250//

F/17.0//

H/270810Z MAR/3030N/08052W//

I/MAYPORT/271215Z MAR//

L/RL/17.0//

WHALESNORTH//

M/487654321//

A/CALYPSO/JCOU//

B/031850Z APR//

E/315//

F/15.5//

H/031900Z APR/4100N/06908W//

I/BOSTON/040200Z APR//

L/WP/4210N/07000W/15.5//

L/WP/4218N/07029W/12.0//

8. **COAST GUARD PARTICIPATION AND REPORTING METHODS.** Although government vessels are exempt from participation in the MSR, the Coast Guard has voluntarily decided cutters 300 gross tons and greater that have record message traffic or INMARSAT C capability shall participate in the MSR. Cutters with INMARSAT C capability shall submit reports to: RightWhale.MSR@noaa.gov. Cutters making reports via record message traffic shall address messages for action to COGARD CAMSLANT PORTSMOUTH VA.
9. **REPORTING INSTRUCTIONS FOR COAST GUARD CUTTERS.** This section applies to only those Coast Guard cutters directed to participate in the system.
- All vessels moored within an MSR reporting area for more than 24 hours shall submit a report as soon as practicable upon getting underway.
 - All vessels entering an MSR reporting area from sea shall submit a report upon entry.
 - Vessels that have submitted a report and remain in the vicinity of the MSR reporting area are not required to submit additional reports.
 - Vessels that leave the vicinity of the MSR reporting area for more than 24 hours shall submit a report upon re-entering the MSR reporting area.
 - Exit reports are not required.

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- f. Reports shall follow the format in reference (b). Cutters shall report the following paragraphs:

Paragraph	Function	Information Required
	System name	System identifier
		Ship reporting system name (whalesnorth or whalessouth).
A	Ship	Enter only "USCG" for cutter name and "USCG" for call sign.
B	Date, time, and month of report	Six digit DTG with time zone indicator and month.
E	True course	3-digit number indicating true course.
F	Speed in knots and tenths	3-digit group indicating knots and tenths.
H	Date, time, and point of entry into system	Date and time expressed as in (B) and latitude and longitude expressed as a four digit group giving latitude, the letter N indicating north, followed by a five digit group giving longitude, and the letter W indicating west.
I	Destination and ETA	Cutters on patrol should enter "sea" as their destination with no ETA. Cutters en route a port should provide the name of port and arrival time expressed as in (B).
L	Route information	Required only for cutters en route a port. Route information should be reported as either a direct rhumbline to port (RL) and intended speed expressed as in (F), or a series of waypoints (WP). Vessels reporting waypoints should include latitude and longitude, expressed as in (H), and intended speed between waypoints. For vessels transiting within a traffic separation scheme (TSS), give only the waypoints and intended speed for entry and departure of TSS.

- g. When the need for operational security dictates, operational commanders may waive the requirement for participation in the MSR. Non-participation, however, should be the exception, not the rule.

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10. **REPORT DATA.** All data from ship reports will be stored in the MSR database. Access to the database will be restricted to authorized Coast Guard and National Marine Fisheries Service (NMFS) personnel. Headquarters staff will use the data to track MSR compliance and the NMFS will use the data to analyze vessel traffic within right whale critical habitats. A version of the database, scrubbed of vessel names and call signs, will be made available to the public by the NMFS.
11. **RECEIVING REPORTS.** CAMSLANT has been designated the primary facility to receive reports from vessels that use non-satellite communication methods. When a vessel contacts CAMSLANT to make an MSR report, CAMSLANT will receive the data in the prescribed format and supply a reply message to the vessel. Reply messages will be provided daily by the contractor. Following transmittal of the reply message, CAMSLANT will forward the ship report to the MSR database via e-mail. Reports shall be sent to: RightWhale.MSR@noaa.gov. As stated earlier, the Coast Guard cannot legally mandate which communication method a vessel will use. Because of this, vessels reporting into the MSR may contact units other than CAMSLANT. If this occurs, take the report and provide the following reply:

You are entering essential habitat for the endangered northern right whale. The right whale is vulnerable to being hit by ships and may not avoid approaching vessels. Collisions can damage vessels. Exercise prudent seamanship and advance planning to avoid right whales. Assume any whale sighted is a right whale. Monitor USCG Broadcast Notice to Mariners, NAVTEX, and NOAA Weather Radio for latest advisories and sightings. Consult US Coast Pilots and Notices to Mariners for ways to avoid hitting right whales and applicable regulations. Right whale critical habitats are marked on recently updated charts. Right whale information is available from shipping agents and port authorities. Please report all struck, dead or entangled whales immediately to the USCG on VHF Channel 16.

After sending the reply, the unit shall forward the ship report information to CAMSLANT for entry into the database.

12. **REPLY MESSAGE.** The following is a sample of the automatic reply message that ships will receive upon reporting into either of the two areas via INMARSAT C or telex. Reply messages warn mariners about the plight of the northern right whale, list additional sources for right whale information, and provide right whale location information. The NMFS will automatically update reply messages based on surveillance flights and other right whale sighting reports. The contractor will forward a copy of the reply messages to CAMSLANT daily. Reply messages will vary slightly depending on the reporting area.

Northeast Reporting Area (Sample Reply Message)

You are entering essential habitat for North Atlantic right whales. The species is critically endangered and vulnerable to being hit by ships; whales may not avoid approaching ships. Collisions can damage sonar domes, propellers or shafts. Exercise prudent seamanship and advance planning to avoid right whales. Assume any whale sighted is a right whale. Monitor USCG Broadcast Notice to Mariners, NAVTEX, NOAA Weather Radio, Cape Cod Canal Vessel Traffic Control and Bay of Fundy Vessel Traffic Control for latest advisories and sightings. Consult NAVTEX, INMARSAT C SafetyNET, US Coast Pilots, and Notices to Mariners for ways to avoid hitting right whales and applicable regulations. Right whale critical habitats and Stellwagen Bank Marine Sanctuary are marked on recently updated charts.

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Placards, videos and other material are available from shipping agents, port authorities, port pilots, and USCG. Please report all struck, dead or entangled whales immediately to USCG on VHF Channel 16. Be advised that whales may or may not remain at reported locations for extended periods. Surveys do not detect all whales and are not flown in poor weather. Whales, including other whale species, may occur at unreported locations Whales were sighted at:

[xxxx]N, [xxxxx]W @ [xxxx]h, [date]

[xxxx]N, [xxxxx]W @ [xxxx]h, [date]

13. **COMPLIANCE AND ENFORCEMENT.** Shipboard interviews and data analysis will be used to measure compliance with the MSR. Marine Safety personnel will conduct interviews during all regularly scheduled Port State Control boardings and U.S. flag vessel inspections. Interviews will be conducted on vessels meeting the reporting requirements in the ports of Boston, MA; Brunswick, GA; Jacksonville/Mayport, FL; and the ports located at St. Mary's entrance and within the Cumberland Sound including Fernandina Beach, St. Mary's, and Kings Bay. Interviews shall be conducted year-round in Boston and from 15 November to 15 April for ports in the southeast reporting area. Interviews should be used as an educational tool to inform vessels about the MSR and the established reporting procedures. If a vessel is found to have not reported into the MSR, no immediate actions will be taken against the vessel (e.g., CG-835's) until further guidance is issued by Commandant (G-MW). Any discrepancies found shall be forwarded to Headquarters in the weekly interview report. No civil penalties will be assessed if satisfactory compliance with the reporting requirements is attained. It is important to stress that, although this is a mandatory system, the emphasis is on reducing the risk of right whale ship strikes by educating merchant mariners about the problem. The interview process will build on the educational efforts already in place. In addition to interviews, compliance with the MSR will be analyzed through comparison of the database and the Advance Notice of Arrival data. These sources will indicate which ships pulled into ports and which ships reported into the MSR. Vessels failing to report into the MSR will be issued a letter from the NMFS explaining the MSR and the requirement to comply.
14. **RESPONSIBILITIES.** Successful operation of the MSR will require the cooperative effort of the offices of Marine Safety and Environmental Protection, Operations, and Communications. Required actions are as follows:
 - a. Commandant (G-MW) shall issue further guidance on enforcement if compliance rates are not satisfactory.
 - b. Commandant (G-MOC) shall:
 - (1) Collect weekly vessel interview reports and provide report data to Commandant (G-OPL) for compliance analysis.

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- (2) Provide Advance Notice of Arrival data for vessels calling in ports located within MSR reporting areas to Commandant (G-OPL) for compliance analysis.
- c. Commandant (G-MWV) shall conduct compliance analysis of MSR database with Commandant (G-OPL).
- d. Commandant (G-OPL) shall:
 - (1) Download MSR database for compliance analysis.
 - (2) Provide compliance results to Commandant (G-MOC).
 - (3) Provide names of vessels failing to report into the MSR to the NMFS.
 - (4) Administer requirements of database contract and MSR system operations.
- e. Commandant (G-SCT) shall:
 - (1) Monitor the number of reports made via CAMSLANT, activities, groups, or other units.
 - (2) Notify Commandant (G-OPL) if the number of reports made via CAMSLANT, activities, groups or other units is excessive or burdensome.
- f. Commander, Atlantic Area shall direct districts and area units to carry out MSR responsibilities in accordance with this Instruction.
- g. CAMSLANT shall:
 - (1) Receive ship reports, provide reply messages, and enter MSR reports into the database.
 - (2) Enter MSR reports received by activities, groups, or other units into the database.
- h. Commander, First and Seventh Districts shall direct units under their operational command to carry out MSR responsibilities in accordance with this Instruction.
- i. Commanders of Marine Safety Offices with ports located within MSR reporting areas shall:
 - (1) Conduct shipboard interviews to ascertain compliance with MSR reporting procedures.
 - (2) Provide weekly interview reports containing the number of vessel interviews conducted, the number of vessels that submitted reports, the number of vessels that received reply messages, and the name and owner/operator addresses of vessels that did not comply. Reports shall be sent via e-mail to: fldr-G-MOC@comdt.uscg.mil.
 - (3) Continue educational efforts per reference (c).

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j. Activities, groups, and other units shall:

- (1) Receive MSR reports and provide the reply listed in paragraph 11.
- (2) Forward ship reports to CAMSLANT for entry into the database.

15. **RECOMMENDATIONS TO IMPROVE THE MSR.** The MSR is part of the increasingly important role the Coast Guard is undertaking to help protect our ocean environment. It will require some changes during the initial operational period. Please provide input to your Headquarters Staffs on system problems and improvements. Changes made to operating procedures will be incorporated into future updates of this Instruction.

16. **FORMS AND REPORTS.** Weekly reports shall be made to G-MOC by marine safety personnel in key port areas in accordance with paragraph 13.g.(2) of this Instruction.

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NON-STANDARD DISTRIBUTION:

- A:a: Atlantic Area only
- A:f: Atlantic Area only
- A:g: D1 only
- A:i: D1, D5, and D7 only (delete CGC ATTU, CGC NUNIVAK, CGC OCRACOKE, CGC VASHON)
- A:j: D1, CGC POINT BARNES, CGC POINT GLASS
- A:l: CGC PENDANT
- A:m: D1, D5, D7
- A:n: D1 only
- A:q: D7 only (delete CGC VISE)
- C:d: Base Charleston, Base Mayport
- C:e: D1, MSO Miami, MSO Jacksonville, MSO Savannah, MSO Charleston
- C:i: D1, Station Ponce de Leon Inlet, Station Port Canaveral, Station Tybee Island, Station Brunswick, Station, Station Mayport, Station Charleston
- C:q: Atlantic Area only
- D:d: D1, Group Miami, Group Mayport, Group Charleston
- D:m: NE Regional Fisheries Training Center, SE Regional Fisheries Training Center, Gulf Regional Fisheries Training Center
- E:n: MSD Davenport