Via Electronic and First Class Mail

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RE: Request to Adopt Measures to Protect Whales from Collisions with Royal Caribbean Cruise Ships

Dear Mr. Bayley, Mr. Liberty, Mr. Laursen, and Mr. Lake:

On July 19, 2026, a Royal Caribbean cruise ship pulled into port in Seward, Alaska with a dead whale draped across its bulbous bow.[1] The whale was later determined to be an endangered pregnant fin whale.[2] Federal scientists preliminarily determined that the whale suffered "blunt force trauma to the jaw, spine, and ribs consistent with a ship strike."[3] This event is a stark, tragic reminder of the harm that cruise ships can have on whales. Indeed, ship strikes are a leading cause of large whale mortality around the world and present a major threat to many species, including endangered fin and blue whales, critically endangered North Pacific and North Atlantic right whales, gray whales, and more. This event is also the reason for this letter—to urge you to adopt a policy requiring your cruise ships to slow to 10 knots or less when traversing through important whale habitat areas.

[1] NOAA Fisheries Alaska, June 21, 2026, https://tinyurl.com/22ehhjzm.
[2] *Id.*; *see also* Thao Nguyen, USA Today, *Dead endangered whale discovered on bow of cruise ship in Alaska dock*, June 21, 2026, https://www.usatoday.com/story/news/nation/2026/06/21/cruise-ship-seward-alaska-dead-fin-whale/90638543007; Madison Knutson and Makayla Clark, KTUU, *Whale found dead on cruise ship bow may have been pregnant, NOAA says*, June 21, 2026, https://www.alaskasnewssource.com/2026/06/22/whale-found-dead-cruise-ship-bow-may-be-pregnant-noaa-says/
[3] NOAA Fisheries Alaska, June 23, 2026, https://www.facebook.com/NOAAFisheriesAK/.

The best available science shows that a 10-knot speed limit is the most effective way to prevent deadly ship strikes of large whales in areas where these whales and vessels overlap. Adopting 10 knots as a mandatory speed limit for your cruise ships will therefore better protect large whales from suffering deadly ship strikes, help prevent your company from committing violations of federal law,[4] and better enable your company to live up to its promise of achieving "a higher standard of sustainability."[5]

Ship Strikes Threaten Numerous Species of Large Whales and Slowing Ships Down Is the Only Effective Way to Prevent Deadly Vessel Strikes

At least 75 marine species are affected by ship strikes, including large and small cetaceans, whale sharks, sharks, seals, sea otters, and sea turtles.[6] Deaths from collisions with vessels have been identified as one of the top human threats to large whale populations globally, which coincides with a quadrupling in global shipping density since 1992.[7]

A recent scientific study found that shipping occurs in more than 90 percent of whale habitat around the world, where the whales are at risk of being struck by these vessels. The study examined "a dataset of 435,000 whale locations to generate global distribution models for four globally ranging species" of large whales and "then combined >35 billion positions from 176,000 ships to produce a global estimate of whale-ship collision risk."[8] It determined that "[w]ithin each of the blue, humpback and sperm whales' ranges . . . large vessels traveled the equivalent of more than 4600 times the distance to the moon and back each year."[9] It determined that every ocean region contains "substantial" ship-strike risk for all four species; with particular hot spots largely concentrated around coastal areas, where there is heavier ship traffic.[10]

As relevant here, scientists have defined a ship strike as "a forceful impact between any part of a watercraft, most commonly the bow or propeller, and a live cetacean, often resulting in death, major injuries or physical trauma."[11] Ship strikes can injury or kill whales by causing blunt force trauma resulting in fractures, hemorrhage, and/or blood clots.[12] Direct propeller strikes can result in fatal blood loss, lacerations, and/or amputations.[13]

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[4] Both the Endangered Species Act (ESA) and Marine Mammal Protection Act (MMPA) make it unlawful for vessels subject to the jurisdiction of the United States to "take" a protected species in U.S. waters or on the high seas. *See* 16 U.S.C. § 1538(a)(1)(B)–(C) (ESA's prohibition on the "take" of any endangered species); *id.* § 1532(19) (ESA's definition of take); *id.* § 1372(a)(1)–(2) (MMPA's prohibition on the "take" of a marine mammal); *id.* § 1362(13) (MMPA's definition of take).

[5] Royal Caribbean Group, Sustainability, https://www.rclinvestor.com/sustainability/.

[6] *Id.*

[7] *See, e.g.*, Rae F, et al., *Expert assessment of the impact of ship-strikes on cetacean welfare using the Welfare Assessment Tool for Wild Cetaceans*, 32 Anim. Welf. e18 (2023).

[8] Nisi, et al. 2024.

[9] *Id.*

[10] *Id.*

[11] Cates et al., *Strategic Plan to Mitigate the Impacts of Ship Strikes on Cetacean Populations: 2017-2020*, International Whaling Commission, Doc No. IWC/66/CC20 (2017).

[12] Schoeman, R.P. et al, *A global review of vessel collisions with marine animals*, Frontiers in Marine Science, vol. 7, p.292 (2020).

[13] *Id.*

These events not only injure and kill individual whales, but in the case of imperiled populations, can have significant impacts on the species' chances of survival and recovery. Scientists have determined, for example, that "death from vessel collisions may be a significant impediment to population growth and recovery" of endangered whales off the U.S. West Coast, including blue whales, fin whales and humpback whales.[14] And for small populations, like North Pacific right whales and North Atlantic right whales, ship strikes represent an existential threat to the continued existence of these whales.[15] Gray whales are also especially vulnerable to ship strikes given they migrate and feed along the coast "where they overlap with heavy shipping traffic."[16]

Human-caused deaths of large whales harms ocean ecosystems as well, given the vital role that whales play in our ocean, including the cycling and transferring of nutrients; fertilizing phytoplankton, which is the base of the food chain; and acting as a carbon sink throughout their lifetime.[17]

The best available science establishes that vessel speed is the single most important factor affecting both the probability of a whale strike and the lethality of that strike. Higher vessel speeds are associated not only with increased lethality but also with increased strike risk, while lower speeds reduce both dimensions of harm through basic physical mechanisms and improved avoidance opportunities.[18] Indeed, the U.S. federal government, through the National Marine Fisheries Service (NMFS), has repeatedly recognized that reducing vessel speed directly lowers the risk of serious injury and mortality because the probability that a collision will be fatal increases sharply as vessel speed rises.[19] One study determined that for every 1-knot increase in vessel speed, the likelihood that a vessel strike would result in the death or serious injury of a large whale increases 1.5 times; it determined, for example, that the probability of a fatal strike event is 20 percent at 9 knots, 50 percent at 11.8 knots, 80 percent at 15.3 knots, and near 100 percent above 15.3 knots.[20] More recent NMFS-led work reaffirms that decreasing vessel speed reduces the probability that a strike will be lethal across vessel classes.[21]

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[14] R. Cotton Rockwood *et al.*, *High mortality of blue, humpback and fin whales from modeling of vessel collisions on the U.S. West Coast suggests population impacts and insufficient protection*, 12 PLOS ONE e0183052 (2017).
[15] Wright, D. L., at al., *Acoustic detection of North Pacific right whales in a high-traffic Aleutian Pass, 2009–2015*, 37 Endangered Species Research 77–90, (2018); Muto, M., et al., *Alaska marine mammal stock assessments, 2019*, U.S. Dep. Commer., NOAA Tech. Memo, NMFS-TM-AFSC-404 (2020); NMFS, 10 Things You Should Know About North Atlantic Right Whales, https://www fisheries.noaa.gov/feature-story/10-things-you-should-know-about-north-atlantic-right-whales; NMFS, Species in the Spotlight—North Atlantic Right Whale, https://www fisheries.noaa.gov/species/north-atlantic-right-whale#spotlight (Sept. 16, 2022).
[16] *See, e.g.*, NMFS, Marine Mammals on the West Coast: Vessel Strikes, https://www.fisheries.noaa.gov/west-coast/marine-mammal-protection/marine-mammals-west-coast-vessel-strikes (updated July 1, 2025).
[17] *See, e.g.*, Anna C. Nisi, et al., *Ship collision risk threatens whales across the world's oceans*, 386 Science 870–875 (2024); International Whaling Commission, *IWC workshop: the value of whales to the ecosystem*, Mar. 17, 2022, https://iwc.int/resources/news/iwc-workshop-the-value-of-whales-to-the-ecosystem.
[18] Redfern, Jessica, et al., Estimating reductions in the risk of vessels striking whales achieved by management strategies, 290 Biological Conservation 110427 (Feb. 2024).
[19] *See, e.g.*, Conn, P.B., Silber, G.K., Vessel Speed Restrictions Reduce Risk of Collision-Related Mortality for North Atlantic Right Whales, 4 Ecosphere 4, 43 (2013); Rockwood, R.C., et al., Estimating effectiveness of speed reduction measures for decreasing whale-strike mortality in a high-risk region, 43 Endangered Species Research 145-166 (2020); 73 Fed. Reg. 60,173, 60,176–78 (Oct. 10, 2008).
[20] Vanderlaan and Taggart, *Vessel Collisions with Whales: The Probability of Lethal Injury Based on Vessel Speed.* Marine Mammal Science 23(1):144-156 (2007).
[21] Garrison, LP., et al., The effects of vessel speed and size on the lethality of strikes of large whales in U.S. waters.

This detection-independent feature makes mandatory speed limits uniquely effective relative to alternative approaches. A recent NMFS report, as well as the broader peer-reviewed scientific literature, demonstrate both that detection technologies are presently immature and that, as a structural matter, they are incapable of replacing the effectiveness of speed-based mitigation.[22] Unlike technology-dependent measures that rely on successful detection under variable environmental conditions, speed limits operate continuously and predictably regardless of visibility, sea state, or the performance of sensing systems.

Moreover, even where whales are successfully detected, avoidance is not assured. Observational and simulation-based research shows that detection opportunities are often "limited and temporary," and that significant delays occur between detection, human interpretation, and vessel maneuvering.[23] For large cruise ships and other large vessels in particular, the time and distance required to alter course or reduce speed frequently exceed the available window for effective avoidance—physical and operational constraints that cannot be eliminated through technological improvements.

Finally, a positive detection still requires real-time decision-making from the ship's crew to lower speeds. External pressures could affect the crew's decision-making, such as meeting cruise schedules, and lead to crews failing to slow down to 10 knots or less. Mandatory speed limits remove flawed decision-making, incorporate slowdowns into the cruise schedules from the outset, and ensure that ships are always traveling at a safer speed for whales.

Royal Caribbean Cruises Transverse Important Whale Habitat that Would Benefit from a Slow-Down

Royal Caribbean cruise ships in U.S. waters travel through many important whale habitat areas where there are no ship speed limits in place and whales are at risk of deadly ship strikes.

For example, your ships leaving from Los Angeles ports appear to travel though biologically important areas (BIA) for large whales, including an area considered a BIA for fin whales during June, July, August, September, October, and November; an area considered a BIA for blue whales during June, July, August, September, October, and November; an area considered a BIA for gray whale reproduction during March, April, and May; and other BIAs for gray whale migrations during November, December, January, February, March, April, May, June. Scientists have determined that Los Angeles/Long Beach ports are one of the highest-risk regions for ship collisions with whales on the U.S. West Coast.[24]

And your ships calling on ports in Alaska appear to travel near or through several other BIAs for large whales, including an area in the Gulf of Alaska considered a BIA for gray whales during

11 Frontiers in Marine Science 1467387 (2025).

[22] Kirsch, Casey, et al., Technology Readiness Levels for North Atlantic Right Whale Detection and Vessel Strike Risk Reduction, MITRE Technical Report: MTR250363 (Nov. 2025).

[23] Gende, Scott M., et al., Active Whale Avoidance by Large Ships: Components and Constraints of a Complementary Approach to Reducing Ship Strike Risk, 6 Frontiers in Marine Science 592 (2019).

[24] Rockwood et al. 2017.

January, March, April, May, November, and December; an area in the Gulf of Alaska considered a BIA for sperm whales during April, May, June, July, August, and September;[25] and critical habitat for North Pacific right whales.[26]

Enacting a policy that your ships slow to 10 knots or less when traveling through these and other important whale habitat areas—including known feeding, migration, breeding, and high-use areas identified by relevant scientific and regulatory authorities—would help prevent the deaths of large whales caused by collisions with your ships.[27] It would also help prevent Royal Caribbean from liability for violations of the ESA, which broadly prohibits harming or killing a member of an endangered species;[28] and for violations of the MMPA, which broadly prohibits the harassing and killing of any marine mammal.[29] And it would help Royal Caribbean achieve its sustainability goals.

Conclusion

We urge you to adopt a policy requiring your cruise ships to slow to 10 knots or less in important whale habitat areas. Please feel free to contact us to discuss this request.

Sincerely,

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[25] Biologically Important Areas (BIA II) for Cetaceans: 2023 Updates, https://experience.arcgis.com/experience/51a9e25c75a1470386827439a918e056; *see also* Esri, et al., *Biologically Important Areas II for cetaceans within U.S. and adjacent waters - Updates and the application of a new scoring system*, 10 Front. Mar. Sci. 1081893 (2023).
[26] NMFS, North Pacific Right Whale Critical Habitat, https://www.fisheries.noaa.gov/s3/dam-migration/northpacificrightwhale.pdf; 73 Fed. Reg. 19,000 (Apr. 8, 2008), *codified at* 50 C.F.R. § 226.215; *see also* 88 Fed. Reg. 65,940 (Sept. 26, 2023) (noting intent to expand the critical habitat designation following finding that granting a petition to expand North Pacific right whale critical habitat may be warranted).
[27] The policy could have an exception for instances where the captain determinations speed deviations are necessary to protect the safety of the passengers and crew, or there is a life threatening emergency.
[28] 16 U.S.C. § 1538(a)(1)(B)–(C); *id.* § 1532(19).
[29] *Id.* § 1372(a)(1)–(2); *id.* § 1362(13).