

A REVIEW OF EXISTING GUIDELINES, CODES OF CONDUCT AND REGULATION FOR WHALE WATCHING

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Over the years, whale watching has grown beyond expectation, created a platform for research, conservation and public awareness and enriched the economy of communities.

Yet none of this has any value if the whales that live in our oceans are threatened by the very industry that depends on them, or vessels that use the area for fishing, recreation or transit.

Although dedicated, non-lethal research on small, resident populations of dolphins is beginning to increase our understanding of long-term impacts, we have yet to understand what affect this growing industry, alone or combined with other factors, has on the lives of individuals, populations or species of great whales and most small cetaceans being watched.

To encourage responsible whale watching, ad hoc rules of behavior have been established in many areas. These precautionary measures attempt to assure that whales and dolphins are not disturbed while breeding, resting, or feeding.

The regulations, guidelines and codes of conduct have two general roles: to minimize disturbance; and avoid collisions.

Thus, the joy of spotting a whale is preserved, even enhanced, while neither individual animals nor populations are subjected to undue stress. Seeking this balance remains a major management task.

Common sense aspects of responsible whale watching may include: discouraging vessel activities such as approaching mothers and calves, separating whales in a group, altering a whale's behavior, approaching whales to closely, or chasing and encircling them. And to be effective, these rules must apply to all vessels- tourism, recreational, fishing and cargo.

To date, there are at least 17 countries with whale watch regulation and 30 with guidelines or codes of conduct. In addition, 14 local and international groups have established detailed codes for general cetacean watching as well as for specific areas.

Regulations and guidelines vary worldwide according to area, species and the use of their habitat. Whales may have different tolerances to disturbance depending on the species and whether they are resident, migrating, feeding, socializing, or involved in calving or mating.

In some regions, regulations and guidelines for whale watching may vary by specific area. For example, in the United States, it is against the law to approach within 500 meters of a North Atlantic right whale, or within 100 meters of a humpback whale in the breeding grounds off Hawaii or feeding grounds off Alaska.

However, there are no regulations for approaching humpback, fin, sei or Minke whales in their feeding grounds off the east coast of the US, or off California, Oregon and Washington State.

Several countries have varying regulation for dolphin watching. In some areas, swimming is allowed with restriction; in others it is not recommended. At the very least, it is critical to establish simple, common sense rules based on the types of whales present and their use of the area.

Following are some examples of these rules and the number of areas in the world where they are recommended or enforced.

For the next few slides it is important to note the ratio of colors rather than the numbers.

MINIMUM APPROACH DISTANCES TO WHALES: Distances vary from 30 to 500 meters or by species. Most common is 100 meters.

RECOMMENDED CAUTION ZONES (NO WAKE SPEED) FOR VESSEL APPROACH AND DEPARTURE: Approach- no wake speed- zones vary from 200 to 1500 meters with 300m as the most common recommendation.

RECOMMENDED VESSEL SPEED AND ENGINE CONTROL IN THE VICINITY OF WHALES: most areas recommend no faster than the slowest whale and no high-speed vessels.

RECOMMENDED DIRECTION OF APPROACH TO WHALES: Most common approaches are no head-on approach and parallel or slight to the rear. Note that an approach directly behind the whale is recommended for sperm whales.

MAXIMUM NUMBER OF VESSELS NEAR WHALES: Although the range is 1 to 6 vessels, only 1 or 2 vessels is recommended by most areas.

MAXIMUM TIME SPENT WITH WHALES: Although most recommend 30 minutes per sighting, this is problematic when watching species such as sperm whales, known to dive in excess of 1 hour!

CONSIDERATIONS FOR VESSEL OPERATION IN THE VICINITY OF WHALES: Several recommendations are given. The most common are no sudden change in speed or direction; no chasing or harassing; and do not separate pairs or groups of whales.

HUMAN/WHALE INTERACTIONS: No swimming or scuba, no feeding or littering and no loud noises are most common.

RECOMMENDED APPROACH DISTANCES TO MOTHER/CALF PAIRS: Most areas recommend no approach to mothers with calves.

I will add here that an increasing number of areas now have restricted or banned whale watching from personal water craft such as jet skis and from helicopters.

In summary, appropriate, common sense regulations or codes of conduct are an integral component of management systems. When complimented by effective enforcement, surveillance and the opportunity for scientific and education programs, such systems can help bring the message of cetacean and marine conservation to the public- while promoting cetacean safety and maximum socioeconomic benefits from whale watching activities.