



## BOATER EDUCATION PROGRAM



Photo & graphics by Albert Shepard

**Best Practices  
for Viewing Marine Wildlife**

# BOATER GUIDELINES

a stewardship program of  
**The Whale Museum**

### The Need for Guidelines

The international inland marine waters of the Pacific Northwest, or Salish Sea, have become one of the premier destinations in the world for boating. The number of motor, sail and human-powered boats in the core wildlife-watching areas has dramatically increased in recent years due to the popularity of orcas and other marine wildlife.

Recent studies indicate that vessels can contribute to potentially damaging and unlawful situations around marine wildlife. Because of the large number of commercial and recreational vessels using the inland marine waters in the Salish Sea, there is now the need for self-management.

Present conditions necessitate new boating etiquette. We can all be a part of the solution to protect the precious resources that symbolize this part of the world. Please take time to learn these guidelines, set an example, and help educate others.

## **Operation of Vessels Around Orca Whales**

1. BE CAUTIOUS and COURTEOUS: approach areas of known or suspected marine mammal activity with extreme caution. Look in all directions before planning your approach or departure.
2. SLOW DOWN: reduce speed to less than 7 knots when within 400 metres/yards of the nearest whale. Avoid abrupt course changes.
3. AVOID approaching closer than 100m/yds from any whale.
4. ALWAYS approach and depart whales from the side, moving in a direction parallel to the direction of the whales. Avoid approaching whales from the front or from behind.
5. LIMIT your time engaged in viewing to a recommended maximum of 30 minutes, to minimize the cumulative impact of many vessels and in consideration of other viewers.
6. STAY on the OFFSHORE side of the whales when they are travelling close to shore. Remain at least 200 metres/yards offshore at all times.
7. KEEP CLEAR of the whales' path. Avoid positioning your vessel within the 400 metre/yard area in the path of the whales.
8. If your vessel is unexpectedly within 100 metres/yards, STOP IMMEDIATELY and allow the whales to pass.
9. DO NOT attempt to swim with or feed whales.

## **Operation of Vessels Around Other Whales (Minke Whales, Gray Whales & Humpbacks)**

- Vessels should approach an area of known whale activity with extreme care. Stop to survey the general area and approach the animal slowly.
- Vessels should not approach whales within 100 yards.
- If you are approached within 100 yards/

meters by a whale, you should:

- a. Continue on your course with little change in speed and direction, or
- b. Stop the vessel and wait for the animal to move away.

## **Operation of Vessels Around Porpoises and Dolphins**

1. Observe all guidelines for watching whales.
2. Do not attempt to drive through groups of porpoises or dolphins for the purpose of bow-riding. Should these animals choose to ride the bow wave of your vessel, gradually reduce speed and avoid sudden course changes.

## **Operation of Vessels Around Seals, Sea Lions and Birds When Animals are on Land**

1. AVOID approaching closer than 100m/yds from any marine mammals or birds.
2. SLOW DOWN and reduce your wake/wash and noise levels.
3. PAY ATTENTION and back away at the first sign of disturbance or agitation.
4. BE CAUTIOUS AND QUIET when around haul-outs and bird colonies, especially during breeding, nesting and pupping seasons (generally May to September).
5. DO NOT FEED any marine mammals or birds.

## **Viewing Wildlife within Marine Protected Areas, Wildlife Refuges, Ecological Reserves and Parks**

1. Check your nautical charts for the location of various protected areas.
2. Abide by posted restrictions or contact a local authority for further information.

## **Rules Regarding Vessel Types**

### **Private Recreational Boats**

- Are required to follow all county, state, and federal laws and be familiar with wildlife viewing guidelines for the area.

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### **Personal Water Craft (“Jet Skis”)**

- **Are currently prohibited in San Juan County waters.**
- **Should avoid all wildlife and coastal wildlife habitat areas.**
- Should not travel faster than 25 mph, even over open water to avoid collisions with marine birds and mammals that may be surfacing to breathe.

### **Sailboats**

- Vessels under wind power should correct their course so they will not separate whales or approach closer than 100 yards (meters). All laws and guidelines apply to sailboats under sail or power.

### **Paddlers and Rowers**

**Human-powered crafts are subject to all of the wildlife viewing guidelines of motor-powered vessels.**

- Know the laws, safety issues and environmental conditions before leaving shore. Respect the people, animals and plants that make this area their home.
- If you see whales, move out of the whales' route and group together in a flotilla. Do not chase or ambush whales. Position yourself and your group 100 yards/meters from whales and preferably towards the shore or in kelp beds. Other boaters and whales can navigate around a cluster of boats more easily than if kayaks are spread out.
- Do not intentionally position yourself in the path of whales.
- Paddle a wide arc around seal haulouts and nesting bird sites. Resting seals and nesting birds are especially sensitive to paddle and oar movements. Watch for warning signs such a heads-up posture and alarm calls. Take extreme caution to avoid stampeding seals into the water or birds away from their nests or fledglings.
- Do not approach designated Wildlife Refuges closer than 200 yards. (See map, page 7.) Shallow draft boats are easily maneuvered into sensitive areas, potentially disturbing wildlife.

### **Commercial Boats**

Commercial boats must follow the same laws as recreational vessels. A majority of the commercial whale watch boats operating in boundary waters are members of the **U.S./Canadian Whale Watch Operators Association Northwest** which requires members to follow additional very strict, self-imposed vessel operating procedures consistent with the guidelines presented here.

### **Research Boats**

Research boats are subject to all the laws and guidelines unless they have special authorization under U.S. and/or Canadian federal permits. If they are under special permit, researchers will fly a small yellow flag and/or have “Research” displayed somewhere on the side of their boat. Research permits allow authorized scientists to approach closely for special types of data collection that cannot be obtained in any other way.

### **Commercial Photographers**

Commercial photography boats are subject to all the laws and guidelines unless they have special authorization under U.S. and/or Canadian federal permits. Permit holders must have a copy of the permit on board the vessel.

### **The Laws**

Depending upon the type of wildlife or the type of protected wildlife habitat area, different laws may be individually or jointly applied. These

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Report Harassments  
and Obvious Violations to:  
**U.S. National Marine Fisheries Service:**  
**1.800.853.1964**  
**Canadian Department of Fisheries  
and Oceans:**  
**1.800.465.4336**

include county or municipal ordinances, state, provincial or federally legislated regulations and international treaties. **Blatant violations of the taking or harassment of wildlife, or invasion of protected areas can result in civil penalties of over \$10,000 and/or jail sentences.** The voluntary guidelines promoted by the Soundwatch Program meet or surpass the requirements for all existing regulations.

Of the 12 commonly occurring marine mammals, all but the river otter are protected under the U.S. Marine Mammal Protection Act. Humpback whales are currently listed under the U.S. Endangered Species Act. **In Canada the Southern Resident orca population has been listed as endangered by the Committee on the Status of Endangered Wildlife in Canada.**

Of the 38 most common birds, all are



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protected under the migratory Treaty Act and three are protected under the U.S. Endangered Species Act (Common Loon, Marbled Murrelet and Peregrine Falcon). In the San Juan Islands alone, protected habitat areas fall under more than nine governmental entities. **In all cases, except where clearly indicated or privately arranged, it is considered trespassing to land on any remote islands, beaches, or rocks in the Salish Sea.**

## What is the Soundwatch Boater Education Program?

Soundwatch is a non-governmental, community-based stewardship program funded and administered by **The Whale Museum**, a nonprofit institution in Friday Harbor, Wash. The Soundwatch Program originated in 1988, with on-the-water vessel education initiated in 1993. The program's goal is to facilitate proper boating etiquette in the Salish Sea that respects wildlife needs as well as existing regulations.

Soundwatch is funded by grants and donations from individuals, private

businesses, foundations, and government grants. Governmental partnerships are based on either educational or scientific research. (Port of Friday Harbor, San Juan County Marine Resources Committee, U.S. National Marine Fisheries Service, NOAA, and U.S. Fish and Wildlife Service).

Soundwatch has no legal authority for enforcement of federal laws beyond that of any other citizen in the United States or Canada.

# San Juan Island Special Orca Watching Areas

## The 80 Resident Orcas in J, K and L Pods Need Your Help!

- In 1999 the Canadian federal government listed these orcas as “threatened,” and in 2001 they were upgraded to “endangered.”
- Presently they are under evaluation for listing as “depleted” under the U.S. Marine Mammal Protection Act.

The zones on the map to the right are **Voluntary No Motor Boat Zones** meant to provide the orcas with a protected area around their favorite feeding spots. Motor slowly when determining if whales are in the area. Look for boat clusters as clues. Please stay outside these zones if whales are present.

### Tune to 89.1 FM The Whale Museum’s SeaSound Radio

When in the vicinity of the zones on the right you can listen to the underwater sounds of the ocean. If you turn your engine off you can listen to the whales without the sound of your boat.



Observe the 1/4 mile “Haro Strait No Motor Boat Zone” recommended by the Whale Watch Operators Association Northwest (see map). Stay 1/2 mile off shore at Lime Kiln Point State Park and 1/8 mile off shore in all other areas when whales are present.



## San Juan Islands National Wildlife Refuge and Wilderness Areas

To protect wildlife, all refuge islands are closed to public access. Boaters should stay 200 yards offshore. No landings are permitted except at the designated areas on Turn and

Matia Islands. February to October is a highly sensitive time for nesting seabirds. Extra caution should be exercised during this period. If people approach too closely, adult

birds may leave the nest, causing chicks and eggs to be preyed upon, crushed or trampled.

San Juan Islands National Wildlife Refuge is managed by the U.S. Fish and Wildlife

Service. For more information, contact the Washington Maritime National Wildlife Refuge System at 360.457.8451.

## Seals and Sea Lions

Humans and vessels approaching too close to seal haulouts (such as offshore rocks and small islands) often scare seals into the water. This can separate young pups from their mothers. **THESE PUPS WILL NOT SURVIVE ALONE.** Please do not approach within 200 yards of areas where seals and sea lions are resting.

*Report all Strandings and Sightings to:*  
**The Whale Museum's Hotline**  
**1.800.562.8832**