

Whale Watching Operator Code of Conduct for the Campbell River Area

PURPOSE

This document has been created and presented to operators, to encourage standard practices for commercial whale watching vessels operating out of and in and around the Campbell River area. The purpose is to ensure that all commercial whale watching vessels are acting responsibly for the safety and well-being of the wildlife and passengers, while reassuring the general public and visitors to the region that collectively and individually we are “Whale wise” and 100% committed to responsible marine wildlife viewing and contributing to ongoing research and conservation.

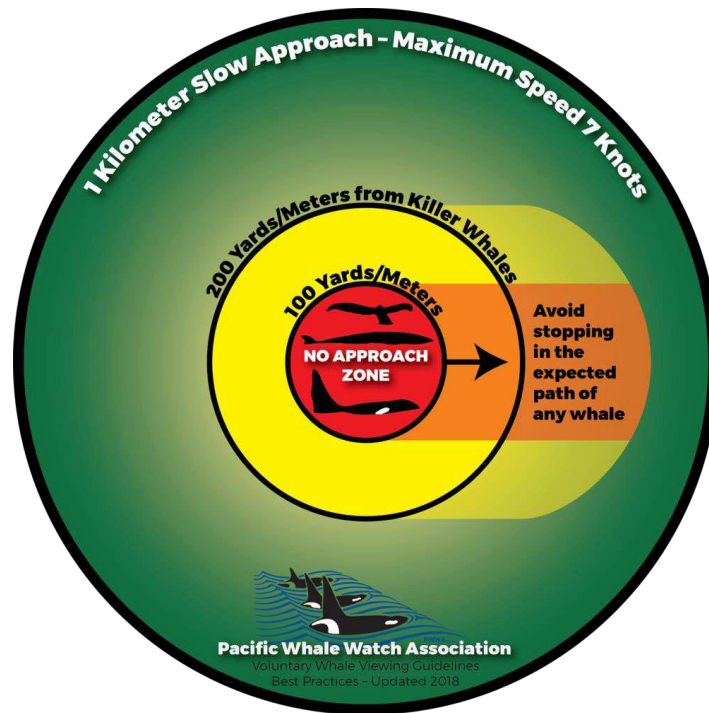
These guidelines have been drawn up to meet and exceed the laws & regulations within the Marine Mammal Regulations of the Fisheries Act published by the Government of Canada, the North Island Marine Mammal Association (NIMMSA) Code of Conduct, and the Pacific Whale Watching Association (PWWA) guidelines ensuring best practices and minimum disturbance to Killer Whales and greater protection for our marine mammals.

It is hoped that each company and all their captains adopt, adhere and sign-off on these guidelines to confirm their commitment to responsible whale watching practices. The guidelines will be reviewed at the end of each season, or as required in response to any updates in laws & regulations published by the Government of Canada.

In addition to signing up to this code of conduct, all operators are encouraged to fly the Whale Watching Flag while actively observing whales. The purpose of the flag is to let other vessels in the area know that whales are likely to be within 400 meters of the vessel(s) flying the flag. The flag alerts other vessels and recreational boaters that they should apply adjustments to course and speed as required to comply with the Marine Mammal Regulations of the Fisheries Act published by the Government of Canada.



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OPERATION OF VESSELS IN THE VICINITY OF WHALES

A vessel shall approach an area of known or suspected whale activity with extreme caution.

A vessel within 1 km of a whale is considered to be in the vicinity of whales and is required to abide by the law and all of these Best Practices Guidelines as are relevant.

If a vessel operator is unaware of the whales' location, they must always maintain a vigilant watch for whales. Mere observation of whale watching vessels in the distance does not fulfill this responsibility, as an individual whale may be encountered anywhere and at any time.

Maintaining a vigilant watch often includes significant speed reductions.

A vessel within the vicinity of whales - within 1 km of a whale - is considered to be in the slow zone and must operate at no more than 7 knots. A vessel within the vicinity of whales should turn off any echo sounders or depth sounders if equipped with one.

A captain should always avoid positioning themselves between whales and the shore.

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This reduced speed zone shall also be observed when disengaging the vicinity of whales, always approaching and disengaging from the side, moving in a parallel direction to the direction of the whales.

As the vessel approaches, the distribution of whales and the positioning of other viewing vessels should be surveyed. Communication with other member vessels is strongly encouraged at this point on marine VHF channel 7A.

Once in the vicinity radio communication and “chatter” should be kept to a minimum to allow guests the opportunity to quietly observe and listen.

A vessel shall limit its time in the vicinity of a particular group of whales on any one tour to 30-45 minutes.

Vessels should limit the amount of viewing time to a maximum of 30 minutes in the vicinity of whales on days when there are more than 5 commercial whale watching vessels within 1 km of that particular group of whales. On these occasions vessels should spend more of their tour observing other marine wildlife in other locations and searching for other groups of whales.

PARALLEL VIEWING SEQUENCE

When approaching vessels already engaged in viewing a whale or group of whales, the vessel operator must ensure their vessel moves to the outside of the vessels already accompanying these whales, and head in a direction parallel to the direction these whales are traveling. This is an expected courteous approach to maintain existing view angles of all vessels previously on scene.

Vessels should maintain heading and speed equal to the whales at all times while paralleling.

Minimum approach distances are governed by law and should be maintained.

Southern Resident Killer Whales: 400 meters. If a Killer Whale is identified as a Southern Resident, the operator should leave the scene completely and use the opportunity to explain to their guests the threats the SRKW face.

All other Killer Whales: from Cape Mudge South, any other Killer Whale is only to be viewed at 200 meters if the operator is certified by Transport Canada and flying their provided purple flag, all other vessels should be at a distance of 400 meters. North of Cape Mudge vessels can view Northern Resident Killer Whales and Transient Whales at 200 meters.

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All other cetaceans and marine mammals: 100 meters. An additional buffer should be added, depending on behaviour.

For all whales this distance should be doubled, or an approach should be avoided, if they are in a resting line or with a nursing calf(s)

Baleen whales may be feeding in the vicinity of bait balls and large groups of birds. Therefore, the 100-meter approach distance should be observed when whales are in the vicinity and it is not permitted to operate a vessel within bait balls.

If you find yourself within these parameters, turn off your engines and allow the animals to pass. When it is safe to do so, move away slowly.

The Captain and his crew are responsible for paying attention and must move away, slowly and cautiously, at the first sign of disturbance or agitation of marine wildlife.

Operators are required to make sure that they keep clear of the path of whales and should never approach head on or from behind.

A vessel's speed should be the same as the whale's speed or slower. However, when traveling slower than the speed of the whales, a vessel relinquishes its priority sequence. This technique is generally used to disengage the vicinity of whales when the intention is to break away and return to port.

“MUGGING”

There are specific Humpback Whales in the Campbell River Region that are known to “mug” vessels. There are also instances of unknown whales “mugging” vessels. This is when the Humpback approaches a vessel, in a playful and curious manner. If you find yourself in this situation turn off your engines and wait for the whale to leave the vicinity.

If a captain is aware of another vessel being “mugged” the captain should avoid the area and view whales elsewhere.

If a whale who is known to be curious is seen, that whale should not be viewed, and should be left alone, to avoid an encounter from occurring.

When Humpbacks are socializing with one another, it is believed* there is an increased chance of mugging happening. This is a further reason for increased vigilance when Humpbacks are interacting with one another.

*via communication with the Marine Education and Research Society.

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A captain should use this opportunity to explain to their guests that although we do not know why some whales are so curious, this is not normal or encouraged behavior, and we do not want to promote activity like this as it creates unrealistic expectations for un-ethical wildlife viewing and may contribute to Humpbacks becoming habituated to interacting / being attracted to boats.

OTHER MARINE WILDLIFE

Captain/driver, will not purposefully drive through groups of dolphins or porpoises to encourage bow or stern-riding. Should dolphins or porpoises choose to ride the bow wave of your vessel, you must hold course and speed or reduce speed gradually, avoiding any sudden course changes.

Reduce speed around sea lion or seal haul-outs and bird colonies to minimise wake, wash and noise, slowly passing without stopping. Avoid approaching closer than 100 metres. Encourage guests to be quiet particularly during breeding, nesting and pupping season (generally throughout our main operating season May - September).

Pay attention and move away, slowly and cautiously, at the first sign of disturbance or agitation.

ETIQUETTE AND RADIO COMMUNICATIONS

Every Captain/driver will always operate in a manner respectful of other vessels and their passengers, avoiding constant, distracting "radio chatter"

If required, Captains/drivers should feel comfortable politely letting other drivers know via VHF that the operation of their vessel is not consistent with these guidelines. Captains/drivers should work together to ensure guidelines are followed and always receive this type of communication graciously.

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COMPANY AND CAPTAIN COMMITMENT

Company owners and captains that are committed to adopting and adhering to these guidelines/code of conduct will be asked to sign below.

Name (Print):

Company:

Signed (Signature):

Date:

Name (Print):

Company:

Signed (Signature):

Date:

Thank you for your commitment to providing greater protection for the whales and other marine mammals by taking these necessary steps.

Acknowledgements

The Marine Mammal Regulations of the Fisheries Act published by the Government of Canada,
Whale Wise Code of conduct published by the North Island Marine Mammal Association (NIMMSA),
The Pacific Whale Watching Association guidelines and Infographic
The Marine Education & Research Society (MERS)
2020 management measures to protect SRKW's – Fisheries and Oceans Canada and Transport Canada