

# “Monitoring Issues in BC and WA: Friendly Persuasion and Aquarium Pets?”



Monitoring organizations debate approaches to educating boaters about responsible whale watching methods.

Aquariums continue to promote kissing, petting and swimming with dolphins. This “get up close with nature” marketing ploy can harm people and wildlife.

**By Peter Hamilton. Lifeforce Foundation**

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# “Monitoring Issues in BC and WA: Friendly Persuasion and Aquarium Pets?”

By Peter Hamilton. Lifeforce Foundation

**Abstract:** *As we all seek the best management approaches to ecotourism and recreational activities the Lifeforce Foundation raises the questions “Should education programs include friendly persuasion to reduce harmful boat traffic?” and “Are the captive dolphin programs instilling speciesist attitudes towards dolphins in the wild?”*

## **History - Lifewatch Boater Awareness Program**

Lifeforce has been conducting Marine Life Programs for over 10 years. Our Lifewatch Boater Awareness Program is a stewardship program providing information about Whale Watching Guidelines and Regulations to boaters on the water and through marinas. We also target specific users groups taking boater-training courses. The Lifewatch program is being conducted in the Vancouver, BC and Pt. Roberts, WA areas.

We also have a Marine Wildlife Hotline and a Marine Wildlife Rescue service. These are free services for the public to report injuries, stranding and harassment (604-NOW HOPE (669-4673).

The main goals of the Lifeforce projects include developing Marine Mammal Protection Regulations, implementing an Orca Recovery Program and the creation of Marine Protected Areas. We are seeking volunteers to assist in conducting the Marine Life Programs in the Vancouver, BC area from April 2004 to November 2004. We are collecting data on on-going research projects with the goal of publishing papers such as "Behaviour and Travel Patterns of the Southern Orca Community" and “Orca and Boat Interactions”.

The Lifewatch information advises pleasure and commercial boaters, jet skiers, pilots and others how to safely watch marine life. Lifewatch will actively intercept boaters who inadvertently or intentionally harass marine mammals.

Lifewatch helps protect many species of marine wildlife while our main objective is to protect an endangered population of orcas known as the Southern Community. Threats to the Southern Community, such as dwindling food sources, environmental pollution and the impact of aquarium captures, cannot be resolved immediately but we can immediately reduce some of the threats through our education program. By monitoring the boat traffic we can immediately reduce noise pollution/boat traffic that interrupts foraging patterns and causes stress that affects the immune systems. We can also stop or reduce collisions that could injure and kill orcas.

The continued boat traffic following the orcas within close proximity constitutes harassment. Monitoring, education, enforcement of guidelines and implementing strong regulations are essential for their survival.

## **Monitoring Protocols**

Lifewatch is helping to coordinate monitoring programs through the development of a standard Marine Wildlife Monitoring and Enforcement Policy. Monitoring the monitors would help avoid public confusion about guidelines and gain public support of monitoring programs. This will help strengthen working relationships between all marine watch groups while working towards more effective monitoring operations.

Lifeforce has held the first meeting with monitoring organizations in BC. At this meeting we discussed whether the goal of Monitoring Standards would be:

- a) To coordinate activities between present and future organizations
- b) To organize a Monitoring System to be part of an Orca Recovery Plan
- c) To organize a Monitoring System to provide data for the development of Marine Protected Areas, Marine Mammal Regulations and any impacts on marine habitats.
- d) To be prepared to educate the public about new Marine Mammal Regulations.
- d) To look at the need for a Monitoring Association which could include both marine and terrestrial monitoring groups.

These operating procedures could apply to individuals, organizations and government agencies that enforce guidelines and regulations regarding the protection of marine mammals and marine ecosystems. We hope to assist those efforts by providing information from basic "Introductions" to "How to Respond to Boaters in Violations of Guidelines". We are suggesting that Monitoring organizations should be giving a consistent message to boaters in order to avoid confusion and to gain the cooperation of pleasure and commercial boaters. The policy manual would also be a valuable tool in training volunteers and/or staff.

Monitoring activities will be an essential part of future Orca Recovery Plans. The data collected during monitoring could contribute to our knowledge of various species. Their travel/behaviour patterns will contribute to the development of Marine Protected Areas.

Lifeforce is seeking input from those who presently have written policies that have been developed to address such boat traffic interactions with marine wildlife. We would also like to hear from those monitoring organizations addressing pollution issues (such as "Baywatch" programs) and the methods that they employ if and when approaching boaters/companies.

## **Whale Watching Regulations**

We have urged governments to designate some orca populations as endangered. The Canadian government has listed the Southern Orca Community as endangered while the US government listed them as depleted.

The present Whale Watch Guidelines are voluntary guidelines. There is growing support for legislation and/or regulations because there has been a substantial increase in the number of boats in the whale watching industry. In many cases the industry does not adhere to volunteer guidelines. Licensing of ecotourism marine operations may also be necessary. An "Ethical Eco-tourism Certificate Program" with training courses could also

be implemented. For example, boats would receive a one-year “Whale of Approval” sticker.

Lifeforce is working with other organizations to standardize data collection that would support implementing the above improvements.

The Canadian Department of Fisheries and Oceans (DFO) should be fully supported for their efforts to implement strong regulations. They are protecting whales for present and future generations to be able to appreciate and enjoy. In 2003, Lifeforce submitted our “Marine Mammal Regulatory Amendments and Management Plans”, which included operating policies, to DFO.

### **Monitoring and MPAs to assist in conserving key habitat for species at risk**

Lifewatch studies and data collection will help provide information in support of conserving habitat for species at risk. Data about species distribution and behaviour must be obtained in order to create Marine Protected Areas (MPAs). The data will also help define Best Management Practises and help local decision makers with regard to creating marine sanctuaries.

We will work with Parks Canada, which is conducting feasibility studies regarding the recently announced Southern Gulf Islands National Park and National Marine Conservation Areas. Our experiences will aid in determining which “protected core areas” should include No Whale Watch Zones as well as intermediate zones where public access could coexist with efforts to protect marine ecosystems. One solution that we will study is the mooring of boats for trail access to wildlife observation stations in MPAs as part of programs such as Orca Trails (see Alternative to Water Based Activities for details).

Lifewatch considers that critical habitats, such as the Fraser River estuary area, could be incorporated into Recovery Plans as conservation zones in harmony with other business and recreational activities.

One major area of concern is Active Pass in British Columbia. Boats run over the orcas, block their paths and drive them against the shore. Collecting data will help designate these areas as No Whale Watch Zones for boaters and will change habitat uses.

### **Lifewatch Methodology**

In 2003, a new, faster boat has allowed us to expand our capabilities. We can travel farther and extend our monitoring times. We would also be able to assist other monitors in other territories and to communicate with them with radio scramblers for confidential plans.

The Lifewatch program is developing new, innovative techniques to address the problems:

- a) We are using an arrow bar (usually seen at road construction sites) with directional lights to stop and redirect boaters who are approaching orcas.
- b) We are designing a remote data collection system, which attaches to the radar mast above the cabin in order to provide an elevated, unrestricted viewing platform for filming/recording data.
- c) We will be using a laser range finder and speed indicator to accurately determine the distances between boats and wildlife.

## **Educational Approaches**

As we all seek the best management approaches to promote eco friendly tourism and recreational activities, we must evaluate and refine our educational and enforcement policies. Through our experiences we have found that the soft approaches alone has not eliminated violations of whale watch guidelines by businesses. We have found that a “pleasant, but firm approach” is needed. In addition, we must look at the “Get Up Close with Nature” aquarium/zoo industry messages and at how to stop this negative impact on wild populations.

Lifeforce would like to raise two questions and respond to them with some historical information:

### ***“Should education programs include friendly persuasion to reduce harmful boat traffic?”***

The Lifewatch education programs inform communities as to how their lifestyles could affect marine systems and how to avoid any negative impact on orcas and other marine life. Lifewatch raises public awareness of problems facing marine wildlife and habitats and how they can participate in becoming marine stewards in their community.

It is certainly the main goal of volunteer monitoring organizations to provide education - not enforcement. However we do, in fact, find ourselves as part of the enforcement process either by documenting the violations or reporting violations to the proper authorities. We are often faced with the moral dilemma “Do we stand by while parties harass whales or do we intervene?” This is even more troublesome in areas where enforcement agencies may not have the funding for an immediate response or for following up with legal action. Monitors who are on the front line understand that our education work includes enforcement because advising boaters could stop harassment.

## **Whale Watch Businesses**

Sometimes monitors may have to give strong messages because the friendly messages are ignored and do not stop future violations. Lifeforce had hoped that the whale watch businesses would act responsibly and that they would help protect endangered species such as the Southern Orca Community. However, many of the companies do not adhere to the guidelines and this frequently results in harassment of marine wildlife.

In our area this is very evident in locations when monitoring activity is low or non-existent. On the US side, in the San Juan Islands, there are more eyes on boat traffic and more restrictions such as no approaches within ¼ mile of designated shorelines. On the Canadian side, in the Gulf Islands and Southern Georgia Strait, there is less monitoring since Lifewatch operates on a very low budget. Whale Watch Operators have referred to our territory as a “no man’s land” and wrongly tell each other that a “different set of rules” applies.

One example, are the problems with boaters harassing orcas in Active Pass, BC. Our advice to an association of whale watch operators to stop and watch the orcas enter this crowded pass was not implemented. They continue to enter the pass to engage the orcas and violate the guidelines.

In addition, when the orcas are spread out, whale watch companies will either go to pods farthest away from us or split up in order to avoid being monitored.

### **Pleasure Boaters**

The pleasure boat operators usually will adhere to guidelines when advised, but there must be an increase in education programs to advise these non-commercial boaters.

Lifewatch has found that when whale watch boats and research vessels are approaching too close, the pleasure boats copy. They are confused. They think that the whale watch operators know what to do and are following the rules so they imitate the often inappropriate actions.

### **Documented Violations 2003**

In addition to our work on the water, we also collect data from land bases when the orcas and boats were near the shoreline. Lifewatch was able to record several harassment problems. We contacted commercial whale watching boats by VHF radio and pleasure boaters by either VHF radio or by locating their home marina.

Lifeforce videotaped approximately 128 minutes of boat behaviour that had a negative impact on the orcas. We also collected 72 photographs of violations of whale watch guidelines and have additional written records of approximately 36 boats. We will also be able to get high quality still photos from the videotapes.

In addition, Lifeforce collected approximately 43 minutes of the behaviour of a solitary dolphin – a False killer whale. We also photographed new behaviours and can get still images from the videotapes. New behaviours included a drastic reduction in time spent following boats.

### **So what methods work?**

Even with all the pleasant talk between operators and the monitoring people, violations of the guidelines continue. Some operators think that getting written “citations” mailed to them is a “joke” and it may not change their bad boating behaviour. What appears to be a better working relationship may be only a public relations move by the whale watch industry in order to be perceived as cooperating. It is agreed among monitoring groups that many operators do operate differently when they are not being watched - so are they really operating in good faith?

Lifeforce has told the Whale Watch Operators Association Northwest that if they fail to follow guidelines then Lifewatch will approach their vessel(s) to advise their customers of the violation(s). Over the years, this has resulted in better boating practises in the Lifewatch patrolled area.

### ***“Are the captive dolphin programs instilling speciesist attitudes towards dolphins in the wild?”***

Pleasure boaters can also pose other threats to species at risk. Public perception has been influenced by the Aquarium Industry who treats their captives like pets who they ride, swim with and hand feed. If the public is going to aquariums and getting up close with cetaceans it is highly likely that they will try to get too close to dolphins in the wild. Lifewatch has had to stop boaters from attempting to swim with the wild orcas.

Captive dolphin programs should advise people that these creatures are wild animals and regulations, in some countries such as the US, stipulate that it is illegal to swim, touch and feed marine wildlife.

## **Lone Dolphins**

Another problem is with lone dolphins, such as a False Killer whale that follows boats near Vancouver. Boaters have to be told that the behaviour of these isolated dolphins is totally different and they must not approach any marine wildlife.

The public perception of lone orcas (Luna and Springer) separated from their families appears that they think the orcas are having fun playing with boats and people. This has especially been the case on the West Coast with the orca named Luna. The public must be properly informed that these behaviours are those that he would be doing with other orcas. Lone dolphins will use inanimate objects such as boats as substitutes.

## **Alternative to Water Based Activities**

### **Orca Trails – An Action Plan to prevent increase in boat activity**

Lifeforce has operated under a Canadian Department of Fisheries and Oceans Research permit to study the behavior and travel patterns of the Southern Orca Community. As a result of our 10-year study, we are presently developing an Orca Trails Program to promote land-based whale watching by advising park managers when orcas will pass by their marine parks. The park managers and public can also call us for information so they can plan hikes, camping trips and other types of outdoor recreation.

This will help protect marine ecosystems by promoting ecologically friendly outdoor lifestyles for landlubbers and boaters. Orca Trails provides an equal opportunity for whale watching to all as not everyone can afford water-based whale watching.

As part of this education program we helped design and print a Whale Watch postcard depicting one of the present Orca Trails locations in Lighthouse Marine Park, Point Roberts, WA. Other sites are being developed in Southern BC and WA.

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