

POLICY GUIDELINES FOR THE PROTECTION OF HUMPBACK WHALES AND OTHER CETACEANS
DEPARTMENT OF ENVIRONMENT AND COASTAL RESOURCES
TURKS AND CAICOS ISLANDS GOVERNMENT

1.0 BACKGROUND

- 1.1. A population of humpback whales migrates from the cold waters of Iceland and Southern Greenland to the Silver Banks where they mate and give birth. The Silver Banks lies just north of Santo Domingo and Southeast of the Turks and Caicos Islands. After giving birth the whales travel around on the Turks, Caicos and Muchoir Banks. The presence of aggregations of humpback whales close to the Turks and Caicos Islands has given rise to opportunities for whale watching. The advantages of whale watching are wide: it provides an opportunity to teach people to appreciate and understand the value of whales and other cetaceans; it fosters research; it contributes to the conservation of the animals; and helps ensure the economic security of local communities which serve as protectors of marine habitat. It is estimated that from December to April, during the whale migration, Salt Cay and Grand Turk receive 75% of their tourists and operators earn up 70% of their annual income.
- 1.2. Like all coastal communities, the Turks and Caicos Islands depend primarily on tourism, specifically marine tourism. Recently, the Government signed a development agreement for the introduction of cruise ships to Grand Turk. Grand Turk is directly located on the migration route of the whales. It is important that the construction to facilitate the cruise ship is done in a manner that is least harmful to the whales and that all associated marine traffic take into account the safety of the whales.

2.0 POLICY OBJECTIVES

- 2.1 To ensure that whale watching boats and operators behave responsibly around whales in order to minimize any possible disturbance;
- 2.2 To provide adequate guidance for all commercial marine operators that come into contact with whales
- 2.3 To establish a permit system for certifying and monitoring whale watching operators

3.0 Guidelines for a Single Vessel Watching Whales

- 3.1 Single Vessels engaged in Whale Watching should not have more than 20 persons on board;
- 3.2 When stopping to watch whales, engines should be placed in neutral or allow the motor to idle for a short period before turning it off. Keep noise levels down- no horns, whistles or racing of motors. Whales can be alarmed not only by a sudden noise but also by a noise to which they have become accustomed suddenly ending (passengers should remain as calm as possible).
- 3.3 Boats should not approach within 100 metres of a whale. This also applies to swimmers and divers who should not get into the water with whales (unless special provisions are outlined on permit/licence stating otherwise).
- 3.4 Do not allow your vessel to cause the whale to change direction. Disturbance has driven whales away from critical habitats.
- 3.5 Never allow a boat or person to come between a mother and a calf. Disruption of parental care may reduce a calf's chance of survival and mothers may be aggressive.

- 3.6 Vessels should approach whales from a direction parallel and slightly to the rear. Alternatively, position your vessel at least 300 metres ahead well clear at path of the whales and allow them to approach you. Head on approaches can be threatening to a whale and should be avoided as should approaches from directly behind.
- 3.7 Within 300 metres of a whale move at a constant slow speed no faster than the slowest whale or at idle, no wake speed.
- 3.8 Avoid sudden or repeated changes in speed or direction. Changes in speed or direction may alarm the whales. If you continually need to change speed or direction to watch the whales, they are probably trying to avoid you, so it is best to leave them alone.
- 3.9 Do not approach whales closer than 100 metres. If whales approach within 100 metres of your vessel, either slowly steer a straight course away from them or stay put and place the engines in neutral and let the whales come to you. Do not engage prop while the whales are with 100 metres and do not chase the whales when they leave.
- 3.10 When attempting to watch whales do not 'Box' the whales in, cut off their path and/or prevent them from leaving, particularly when more than one vessel is present.
- 3.11 Do not attempt to approach mothers with young calves. Should you mistakenly approach these whales, leave immediate area at once at a constant slow 'no wake' speed. A whale with a young calf may protect her offspring aggressively if it feels the calf is threatened.
- 3.12 When leaving the whales, move off slowing at idle, 'no wake' speed until at least 300 metres from the closest whale before picking up speed.

4.0 Guidelines for More than One Vessel at the Same Observation Site

- 4.1 No more than three vessels should attempt to watch a whale or group of whales at one time. If several vessels in an area wish to watch the whales, limit your time with the whales so that others may see them.
- 4.2 When approaching an area where other vessels are whale watching, establish contact by VHF radio (Channel 16) and ensure that all operators are aware of the whale watching guidelines.
- 4.3 Vessels not complying with the Code of Conduct should be reported to the Department of Environment and Coastal Resources at telephone numbers #231-2236 or #231-1239 or the Marine Branch of the RTC Police Force at #231-6295

5.0 Guidelines for Aircrafts

- 5.1 Do not operate any aircraft less than 450 metres (1,500 *feet*) above or near a whale. The use of helicopters for whale watching is prohibited as they can cause considerable distress to whales because of the loud noise and down draught.

6.0 Guidelines for Cruiseships

- 6.1 The large vessel and engine size of cruise ships are potentially disturbing to whales, particularly when whales are between vessels and the shore. Consequently, these vessels should not at any given time, stop on the Turks, Mouchoir or Silver Banks to allow whale watching from their vessel;

- 6.2 Whale watching should only be done from the ship tenders, if certified, or with local certified operators;
- 6.3 Certified ship tenders should observe the same guidelines that apply to single vessels or multiple vessels watching whales and maintain a minimum distance of 100 metres from the whales

7.0 Guidelines for Land based Observers

- 7.1 If whales come close to the shore, remain quiet and do not disturb them. Cliffs and headlands are good vantage points for watching whales. Whales can be more easily seen on clear calm days.

8.0 Guidelines for Marine Construction

- 8.1 Major marine construction would not be allowed during the months of the whale migration; if it is extremely necessary for the construction to continue then all dredging or pile driving equipment should be muffled to reduce noise levels;
- 8.2 Minor construction should be contained with aluminum sheeting rather than silt curtains to avoid entanglement
- 8.3 Construction should only take place in day light, not at night;

9.0 Guidelines for Marine Traffic (Oil and Freight Tankers)

- 9.1 Follow an agreed route without stops or deviations except for safety reasons
- 9.2 The discharge of any substance into the waters is prohibited. Dispose of fuel, oil, litter and other contaminants in the appropriate containers on shore to avoid additional marine pollution.

10.0 Permits for Whale Watching Operators

A permit system will allow the Government to regulate commercial operators through restrictions on the number of operations and the amount and type of activity undertaken by each operator.

- 10.1 All water sports operators conducting whale watching tours in the Turks and Caicos Islands will require a permit from the Director, Department of Environment and Coastal Resources, with specific conditions;
- 10.2 To qualify for a permit, the Director must be satisfied that the operator is knowledgeable of the Policy Guidelines and presents no harm to the whales;
- 10.3 Any operator who fails to abide by the provisions of their permit is liable to suspension or revocation of their permit.

11.0 Code of Conduct for Dolphins/Porpoises

- 11.1 Maintain forward process at a slow, steady speed throughout a trip *-to reduce the risk of collision, harassment and noise disturbance.*
- 11.2 Follow an agreed route within the area of operation without stops or deviations except for safety reasons *-cetaceans are more likely to become accustomed to predictable boat noise and behavior.*

- 11.3 Always slow down gradually to no-wake speed if cetaceans appear directly ahead. Once clear of the animals, slowly resume cruising speed. If cetaceans approach the boat, maintain a slow cruising speed *-to reduce acoustic disturbance and avoid collision or breaking up groups to avoid disturbance from sudden change in speed or direction.*
- 11.4 Limit the duration and number of trips in certain areas sensitive to marine traffic *-to avoid potential repeated disturbance to specific animals in areas where they have limited space for manoeuvre.*
- 11.5 Dispose of fuel oil, litter and other contaminants in the appropriate containers on shore - *to avoid additional marine pollution.*
- 11.6 For your safety and theirs, do not allow passengers or crew to swim with, touch or feed dolphins or other marine mammals *-remember, these are wild animals. Swimming with, or touching cetaceans may be dangerous,' infections can also be transmitted between humans and cetaceans. Feeding these animals may alter their behavior.*
- 11.7 Do not relentlessly pursue a particular pod of dolphins. If dolphins show signs of not wanting contact, eg. Continuously diving to depth when approached do not pursue them. Avoid Dolphins with young.

References

Hoyt, E 2000. **Whale and Dolphin Watching: The Best Way to Look at Cetaceans.** Rating Whale & Dolphin Watch Operators Around the World. Prepared for Vier Pfofen e.V. Australia

Marine Mammal Protection Regulations (1992). New Zealand, Whale, Dolphin, Cetacea Regulations. The Whale Watching Web.

Comms. February, 2004. Staff of the Department of Environment and Coastal Resources (J. Campbell, M. Fulford-Gardiner, R. Wild, T. Fisher, W. Clerveaux) & L. Slade.