

Keywords: conservation; coral reefs; environment; marine recreation; preferred practices for good environmental behavior; whale watching; dolphin swimming; dolphin watching; manta rays; invertebrates; turtles; marine mammals; sharks; monk seals; marine animals;

***Voluntary Standard for
Recreational Wildlife Interactions
in West Hawaii Waters***

**Prepared by:
Members of the West Hawaii Community**
with the assistance of the Coral Reef Alliance.

Abstract:

This voluntary standard specifies requirements for environmental performance, conservation practices and operational safety that enhance wildlife viewing activities while minimizing environmental impacts of recreational usage on fragile marine ecosystems in the waters of West Hawaii - particularly near-shore coral reefs, related coastal environments and impacts on marine species such as cetaceans, turtles, monk seals, and other animals.

This standard was developed by community members within West Hawaii representing key interest groups with the assistance of the Coral Reef Alliance (CORAL) and the West Hawaii Standards Taskforce (WHST). WHST and CORAL disclaim all liability for its use, application, or adaptation. This standard is subject to revision at any time and must be reviewed every five years and if not revised either reaffirmed or withdrawn.

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FOREWORD

*(This Foreword is not an official part of this standard,
and is included for information purposes only.)*

This voluntary consensus standard is the product of a (number)-member taskforce representing four interest groups:

Supplier: People who provide services such as shop owners or guides (diving, snorkeling, kayaking, wildlife viewing etc);

Purchasers/Consumer: Hotels, concierge or others who actively book clients on tours or environmental associations such as dive clubs or photography clubs;

Local Communities: State, Federal, or Non-Government Organizations employees

General Interests: Local community members with knowledge and interest to assist in creating marine recreational standards with no particular affiliation with with the above categories..

The widely recognized due process practices defined in the Standards Engineering Society's standard SES-2, Model Standards Development Procedure, were followed in developing this standard.

Suggestions for improvements to this standard are welcome. They should be sent to the Chairman of the West Hawaii Standards Taskforce, c/o CORAL, 351 California Street, Suite 650, San Francisco, CA 94104, USA, or standards@coral.org.

Voluntary Standard for Recreational Wildlife Interactions in West Hawaii Waters

1. Scope

This West Hawaii voluntary standard specifies standards for marine recreation providers of recreational wildlife viewing operations in vulnerable marine ecosystems and related coastal environments and impacts on marine species such as cetaceans, turtles, monk seals and other animals. The standard addresses several activities and important methodologies to disseminate information:

- Minimization of impact to the marine environment, particularly coral reefs, and related coastal environments, and the organisms that live completely or partially within these environments;
- Environmental education of staff and clients on best practices;
- Handling procedures for small invertebrate animals;
- Definition of acceptable practices for dolphin interactions, including boating restrictions and time-limited area closures;
- Manta ray viewing practices for operators, divemasters, photographers, videographers and clients;
- Current regulations regarding shark interactions;
- Current guidelines and regulations for viewing federally-protected marine mammals such as whales, dolphins and monk seals;
- Procedures for viewing federally-protected turtles; and
- Safety and operational practices not already specified in existing regulations.

The standard does not specify curricula or practices for certifications, qualifications of instructors, or related subjects.

2. Referenced documents

West Hawaii Voluntary Standard WHVS 3 - *Standard requirements for recreational shoreline activities in Hawaiian waters*¹

West Hawaii Voluntary Standard WHVS 2 - Voluntary *Standard requirements for recreational boat operations in Hawaiian waters*²

West Hawaii Voluntary Standard WHVS 4 - Voluntary *Standard requirements for SCUBA diving and snorkeling in Hawaiian waters*³

Marine Mammal Protection Act (MMPA) of 1972⁴

Endangered Species Act (ESA) of 1973⁵

Magnusson-Stevens Fishery Conservation and Management Act (as amended through January 12, 2007) 109-479 SEC. 317⁶

Hawaii Revised Statutes [§188-40.6] Shark feeding; prohibitions; exceptions; penalties⁷

Humpback Whales, a Boating and Ocean Use Guide for Safety and Conservation, National Oceanic and Atmospheric Administration (NOAA)⁸

CORAL's good environmental practices turtle watching guide⁹

Manta Viewing guidelines¹⁰

^{1,2,3} Available online at <http://www.coral.organization/>_____, or from CORAL, 351 California St., Suite 650, San Francisco, CA, 94104, USA.

⁴ Available online at <http://www.nmfs.noaa.gov/pr/laws/mmpa/>

⁵ Available online at: <http://www.nmfs.noaa.gov/pr/laws/esa/>

⁶ Available online at:
www.nero.noaa.gov/sfd/MSA_amended_20070112_FINAL.pdf

⁷ Available online at: <http://codes.lp.findlaw.com/histatutes/1/12/188/II/188-40.6>

⁸ Available online at:
http://hawaiihumpbackwhale.noaa.gov/explore/whale_guidelines.html

⁹ For copies contact CORAL at <http://www.coral.org> or West Hawaii's field coordinator for CORAL Kara Osada-D'Avella at Kara@KonaCPR.com.

¹⁰ For copies, contact the Manta Pacific Foundation <http://www.mantapacific.org>

3. Definitions:

3.1 Captain

The person who has ultimate responsibility for operation of a vessel whether he or she is or is not physically manning the helm.

3.2 Cetaceans

Any of various aquatic, chiefly marine mammals of the order Cetacea, including the whales, dolphins, and porpoises, characterized by a nearly hairless body, anterior limbs modified into broad flippers, vestigial posterior limbs, and a flat notched tail.

3.3 Coral reef conservation

The act of preserving and protecting coral reefs, related near-shore ecosystems, and coastal environments from degradation.

3.4 Coral reef ecology

The study of organisms in their coral reef environment that includes the interactions within this environment.

3.5 Environmental briefing

Information on ways and reasons to minimize impact on coral reefs and related coastal environments while SCUBA diving and snorkeling verbally presented by a divemaster, snorkel leader, captain, or naturalist prior to engaging in the activity.

3.6 Harassment (Marine Mammal Protection Act (MMPA) official definition)

Any act of pursuit, torment or annoyance that

- (a) injures or has the potential to injure a marine mammal or marine mammal stock in the wild; or
- (b) disturbs or has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of natural behavioral patterns, including, but not limited to: migration, surface breathing, nursing, breeding, feeding, or sheltering.

3.7 Guided whale watching

Organized observation of whales in their natural habitat where clients are accompanied by a whale-watching guide appointed by a marine recreation provider.

3.8 Guided dolphin watching

Organized observations of dolphins in their natural habitat where clients are accompanied by a dolphin- watching guide appointed by a marine recreation provider.

3.9 Independent dolphin watching

Dolphin watching activities in which individuals are not accompanied by a dolphin-watching guide, but have rented equipment from a marine recreational provider (for example: kayaks, motorboats).

3.10 Marine Protected Area (MPA)

An area of the marine environment that has been reserved by federal or state laws and/or regulations to provide protection and conservation of all the marine, terrestrial, and cultural resources within its boundaries.

3.11 Marine recreation provider:

Entity (business, individual, or organization), including any individual acting on behalf of such entity, which offers one or more of the following services to individuals as for hire.

(a) Training, education or information sharing on SCUBA, snorkeling, kayaking, surfing, or other marine recreational activity.

(b) Guided operations of SCUBA diving, Snorkeling, Surfing, kayaking, marine wildlife viewing, sightseeing, or rental of powered or unpowered boats, with or without crew, or other recreational activity

(c) Rental of recreational snorkeling, SCUBA diving, kayaking, surfing, or other marine recreational activity equipment.

(d) Environmental education prior to or during guided activities, or prior to the rental of equipment, to persons participating in marine recreational activities.

(e) Entities providing a tour through transportation to an area for shoreline activities, such as bus drivers and tour guide operations. This shall not include when such entities are only hired for to transport customers.

3.12 No wake speed

A vessel speed at which the vessel does not produce a wake (a wave of appreciable height). This speed should not exceed 5 miles per hour.

3.13 Safety briefing

Information sharing by marine recreation providers that instructs and guides those participating in SCUBA diving and snorkeling activities in safety and operational practices prior to engaging in these activities.

3.14 Teaching touch

A gentle respectful touch of selected animals for purposes of teaching marine ecology with a primary goal of enabling clients to touch marine animals in order to encourage increased stewardship of the ocean by having them feel they learned and became a part of the environment, never for pure entertainment value.

3.15 Whale-watching or dolphin-watching guide

Persons who have specialized knowledge, skill and experience to plan, organize, supervise and lead viewers safely and within regulations and laws to known sites within the region.

4 Requirements

4.1 General requirements

The following requirements apply to all marine recreation providers, operators, guides, divemasters, instructors, surf school instructors, kayakers or any persons engaged in activities on or around the ocean, surrounding fragile habitat, in particular, coral reefs, tidepools and beaches.

4.1.1 Marine recreation providers and their staff shall demonstrate leadership both in and out of the water and act as role models when around marine wildlife by upholding the provisions of the preferred practices for environmental behavior specified in this standard. Verbal pre-excursion environmental briefings shall review preferred practices and educate customers to the impact of inappropriate behaviors on coral reefs, related coastal ecosystems and wildlife. Briefings may be facilitated by use of a whiteboard, video, handouts, or other educational materials, but these aids are not substitutes for verbal environmental briefings.

4.1.2 All recreational boating operations involving SCUBA diving and snorkeling shall fully comply with the West Hawaii Voluntary Standard for SCUBA Diving and Snorkeling Activities, WHVS 4. Those involving boating activities shall fully comply with West Hawaii Voluntary Standard for General Boating, WHVS 1, and any shoreline activities shall fully comply with West Hawaii Voluntary Standard for Shoreline Activities, WHVS 3.

4.2 Sea Turtle viewing

4.2.1 Sea Turtles are protected under the Endangered Species Act (ESA) of 1973. At no time can anyone touch, pet, ride, feed, handle or in any other way harass a sea turtle.

4.2.2 All Marine recreation providers, guides, crew or other personnel operating around an area with sea turtles shall follow and ensure that clients comply with Annex A, CORAL's *Good Environmental Practices for viewing sea turtles*,. As well as additional requirements and best practices specified in this section.

4.2.4 On land observe turtles from a respectful distance (recommended - one car length) but greater if the turtle shows any signs of distress.

4.2.5 In the water, never swim under, over or in front of a turtle, observe them from the side, remember they are air-breathers. Never surround a turtle.

4.2.6 If plastic or other trash is seen or blows into the water, help clients and crew, whenever possible, quickly remove it. Such items are especially dangerous to turtles, as well as other marine life, who can mistake it as food.

4.2.7 Always ensure all clients are aware of the regulations and the practices specified above and in Annex A.

4.3 Manta Ray viewing

4.3.1 All marine recreation providers, shall circulate to clients copies of Annex B, the Manta Pacific's *Manta Ray Viewing Guide*. Staff shall encourage clients to read the guide.

4.3.2 During the environmental briefing, clients shall be instructed on the requirements of Annex B. Clients shall also be briefed that dive guides may remind them to comply with the Manta Ray Viewing Guide during the dive.

4.3.3 Divemasters and videographers are responsible for ensuring all divers go to the light circle to view manta rays. Divemasters and videographers must ensure lights are set up within a sand or rubble area with enough room that no diver must sit on live coral to view manta rays. Divemasters and videographers are further responsible to ensure that their actions in getting divers in, to the circle and back to the boat does not draw mantas away from the light circle, but not to the extent that safety of divers, the divemaster or the boat is negated.

4.3.4 Divemasters and videographers shall take into consideration that all divers and snorkelers have equal rights to see and enjoy the manta rays. Taking this into consideration, operators shall set up and use lights, and the area, in an

appropriate manner to ensure all divers can share equally in viewing the manta rays.

4.3.5 It is recommended that all snorkel operations viewing manta rays have a snorkel guide in the water with their snorkelers. Further it is recommended operators use a flotation device for customers to hold onto such as a ring of pool noodles, or similar device, with groups of 4 or greater to keep the group together and centered above the lights.

4.3.6 Videographers shall adhere to all guidelines above. Videographers should limit wattage of their lights and angle their lights for video purposes only. Using lights to attract manta rays away from the circle to your group, over the coral, or angling lights across the circle is prohibited. These activities can not only be harmful to the surrounding reefs, but are also a safety hazard when divemasters cannot watch their divers due to high powered lights blinding their views.

4.3.7 Boat operators shall be aware of possible mantas, snorkelers and divers that may be in the vicinity of the vessel before departure. The following practices shall be implemented:

- (a) Turn out deck lights leaving a minimum of lights for passenger safety
- (b) No hand-held or underwater lights shall be hung over the side of the boat for a few minutes before departure.
- (c) Post spotters at the stern and bow when possible to be certain no mantas, snorkelers or divers are nearby.

Consider installing prop-guards or other solutions to protect manta rays, snorkelers and divers.

4.4 Shark viewing

4.4.1 It is illegal to feed sharks in Hawaiian State waters. The following summarizes the primary requirements and prohibitions of Hawaii Revised Statutes [§188-40.6]

Shark feeding:

- (a) Except as provided in subsection, or as otherwise provided by law, it shall be unlawful for any person to conduct any activity related to the feeding of sharks in state marine waters.
- (b) Persons may engage in the feeding of sharks for traditional Hawaiian cultural or religious practices; provided that the feeding is not part of a commercial activity.
- (c) Persons engaged in the taking of marine life that results in captured, injured, or dead fish being incidentally eaten by sharks shall not be considered in violation of this section; provided that the purpose of the taking of marine life is not the feeding of sharks.

(d) The department of Hawaii Land and Natural Resources may issue permits to engage in activities otherwise prohibited by law, in accordance with section 187A-6, or as may be otherwise authorized by law.

(e) As used in this section: "Commercial activity" means to engage in any action or to attempt to engage in any action for compensation in any form. The action or actions may include, but are not limited to, providing, or attempting to provide, guide services, charters, tours, and transportation to and from the location or locations for which such services are provided. "Compensation" means money, barter, trade, credit, and other instruments of value, goods, and other forms of payment. "Feeding" means the introduction of or an attempt to introduce any food or other substance into the water to attract marine life for any purpose other than to take the marine life. [L 2002, c 127, §2]

- 4.4.2 It is illegal to feed sharks In Federal waters. The following laws apply: (a) Magnuson-Stevens Fishery Conservation and Management Act (as amended through January 12, 2007), and (b) 109-479 SEC. 317. SHARK FEEDING. 16 U.S.C. 1866. Exceptions may be granted to the extent determined by the Secretary, or under State law, as presenting no public health hazard or safety risk, or when conducted as part of a research program funded in whole or in part by appropriated funds, it is unlawful to introduce, or attempt to introduce, food or any other substance into the water to attract sharks for any purpose other than to harvest sharks within the Exclusive Economic Zone seaward of the State of Hawaii and of the Commonwealths, territories, and possessions of the United States in the Pacific Ocean Area.

4.5 Wildlife Interactions with marine invertebrates (animals lacking a skeletal structure such as octopus, hermit crabs, sea stars, mollusks etc.).*and kin.*

4.5.1 If a marine recreation operation does not implement a no-touch policy ,marine recreation operators, divemasters, snorkel leaders, kayak leaders and alike shall follow West Hawaii's teaching touch practices (see below.) and brief clients on these practices and their objectives.

4.5.2 For purposes of teaching marine ecology invertebrate animals may be gently and respectfully touched only when the following practices are applied:

(a) The primary goal of enabling clients to touch marine animals is to encourage increased stewardship of the ocean by having them feel they learned and became a part of the environment, never for pure entertainment value.

(b) Animals shall be removed from their habitat without causing harm to the animal or surrounding environment.

(c) Animals shall be returned to the exact spot from which the animals originated.

(d) Animals can not be removed from the water.

(e) All clients shall be briefed prior to diving or snorkeling with information that addresses:

- (1) Why it is all right for this animal to be touched lightly and not others;
- (2) How to touch;
- (3) An educational fact about the animal.

4.5.3 Though a teaching touch is accepted by the West Hawaii Voluntary Standards Taskforce as a minimum requirement, marine recreation operators are encouraged to support and implement a no-touch policy.

4.6 Wildlife interactions with marine mammals unprotected by the Endangered Species Act (dolphins, pilot whales, toothed whales etc.)

4.6.1 Marine recreation providers, captains, guides, crew, boaters, jet skiers, kayakers, swimmers, paddlers, divers, snorkelers, surfers, fishermen or other human activity operating around an area with dolphins shall comply with and follow the Marine Mammal Protection Act (MMPA) and instruct clients on its requirements.

4.6.1.1 The MMPA prohibits the take of any marine mammal. The term "take" means to harass, hunt, wound, capture, or kill, or to attempt to harass, hunt, capture, or kill any marine mammal.

4.6.1.2 The MMPA prohibits any form of pursuit by boat or person, which includes leap-frogging the pod.

4.6.2 In addition to following the Marine Mammal Protection Act all marine recreation providers, captains, crew and clients shall comply with all applicable West Hawaii Voluntary Standards.

4.6.3 All marine recreation providers, captains, crew and clients operating in an area with marine mammals shall respect them by adhering to the following practices:

(a) Marine mammals shall not be fed.

(b) Marine mammals shall not be touched.

(c) Marine mammals shall not be harmed with any weapon, nor shall any attempt be made to do so.

(d) When marine mammals approach, swimmers shall proceed in-line and in the same direction with the marine mammals.

(e) Swimmers shall keep their arms close to their bodies and shall not reach out to the marine mammals.

(f) Marine mammals shall not be inhibited from going where they want to go.

4.6.4 Marine recreational providers who put swimmers in the water near marine mammals shall:

(a) Never put people on top of a pod. A minimum of 100 feet shall extend between the marine mammals and the entry point of the swimmers.

(b) Move aside once swimmers are dropped off, allowing space for swimmers and marine mammals to swim without concern for the boat being in the path.

(c) Marine recreational providers shall keep their boat out of the line of marine mammals unless there is an emergency.

(d) Marine recreational providers shall not remain interacting with the marine mammals once they show sleep behavior which includes:

(i) Dolphins remain underwater for 5-10 minute intervals with only short times at the surface to breath;

(ii) Dolphins are not engaging in aerial acrobatics (spinning, tail slaps, head slaps etc);

(iii) Dolphins are swimming in a chevron position (V shape.)

4.6.6 NOAA recommends that observation of marine mammals be limited to no more than one-half hour with each animal or pod.

4.6.7 All boaters including jet skiers shall comply with the following practices:

(a) When marine mammals are riding the bow of a boat or Jet Ski:

(i) Maintain the same speed

(ii) Steer in a straight line;

(iii) When needing to turn, begin to turn well ahead allowing time for the vessel to turn in a broad curve;

(iv) When changing speeds, do so gradually, giving the animals opportunity to leave;

(b) When traveling with marine mammals, proceed on course and allow the

animals to move towards the vessel;

(c) Never drive across the path of a moving pod, unless in an emergency situation;

(d) Never make circles at high speeds through a pod, inviting them to jump the wake;

(e) If other boats are traveling with the pod, do not interfere with their travel;

(f) When approaching a pod, as soon as marine mammals are spotted, speed shall be reduced to no more slightly greater than the individual whales or dolphins and at a distance no closer than 400 yards;

(g) When animals are seen at a distance of 100 yards or less, speed shall be reduced to be no greater than the speed of individuals in the group;

(h) When multiple vessels are watching a pod, all boats shall stay in radio contact and remain on the same side of the pod (never surrounding them) except when a boat needs to reposition for emergency situations;

4.7 Additional mandatory practices when observing spinner dolphin (*Stenella longirostris*)

4.7.1 Spinner dolphin exclusion areas are delineated in Annex C for Kealahou, Honaunau, Makako Bay (Garden Eel Cove) and Hookena. Areas so delineated are off-limits to all Marine recreation providers and their clients participating in West Hawaii's Voluntary Standards. Marine recreation operators are strongly encouraged to educate others to adhere to these requirements. Captains shall not enter these exclusion areas between the hours of 9:00am to 3:00pm whether dolphins are seen in an area or not.

4.8 Monk Seal (*Monachus schauinslandi*) interactions

Marine recreation providers and independent swimmers, kayakers, those involved in shoreline activities and others shall take into account the following practices, not only to protect the endangered monk seals, but to protect themselves.

4.8.1 Never attempt to swim with, touch or feed a Hawaiian monk seal. They are wild animals and have been known to be aggressive and bite humans. If a monk seal approaches while you are in the water, exit the water as soon as safely possible.

4.8.2 When viewing a monk seal on the beach, observe from a respectable distance (the recommended distance is 150 feet away) and limit observation time to one-half hour.

4.8.3 Pets shall be kept on a leash at all times in the presence of seals. Seals can be aggressive and have been known to bite dogs.

4.8.4 Report injured, entangled, and health concerns of monk seals to Marine Mammal Stranding/Entanglement Hotline: 1-888-256-9840 or Hawaiian Monk Seal Sightings Hotline (808) 983-2958, (808) 220-7802 or the West Hawaiian contact: Justin Viezbicke (808) 987-0765.

4.9 Sperm Whales (*Physeter macrocephalus*)

4.9.1 Sperm whales are protected by the marine mammal protection act as well as the endangered species act. As such rules and regulations for sperm whales are the same as for humpback whales. Observations of sperm whales shall follow the same standards as for humpback whales.

4.10 Humpback Whale (*Megaptera novaeangliae*) Watching

4.10.1 Humpback Whales are protected under the Endangered Species Act and the Marine Mammal Protection Act. Requirements for interacting with humpback whales are presented in Annex D, excerpted verbatim from the National Oceanic and Atmospheric Administration (NOAA) publication *Humpback Whales, a Boating and Ocean Use Guide for Safety and Conservation*.

The best practices for safety good environmental behavior specified here are a mandatory part of West Hawaii Voluntary Standard WHVS 1 - *Standard requirements for Recreational Wildlife Interactions in West Hawaii Waters*

GOOD ENVIRONMENTAL PRACTICES for TURTLE WATCHING

Sea turtles have lived in the world's oceans for over 150 million years. Sadly, these ancient reptiles are now globally threatened with extinction. Many populations are declining as a result of persistent hunting, increasing coastal development, incidental capture in fisheries, the degradation and destruction of nesting beaches, and marine pollution. You can help to protect them by following these simple guidelines.

TURTLE FACTS

- All species of sea turtle are endangered and need protection.
- Turtles can drown if they are prevented from reaching the surface of the sea to breathe.
- Litter is dangerous, especially plastic bags, which can be mistaken for jellyfish—a favorite turtle food.
- Turtles remain in the same region for years and, as adults, return to the same nesting area year after year. If a nesting colony is destroyed, the turtles may never return.

WHAT YOU CAN DO

- Support local sea turtle conservation initiatives—consider volunteering!
- Participate in local sighting networks and complete all sighting forms.
- Do not buy or sell turtle products—turtles are strictly protected under CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) and most national laws.

ON THE WATER

- Watch for turtles while boating—boat strikes can kill.
- When in the water, keep your distance and avoid startling turtles. Do not disturb resting, sleeping or feeding turtles.
- Approach turtles slowly and calmly and move away if they show signs of distress.
- Never try to spear, harass, catch, or ride turtles.
- Do not touch or feed turtles.
- Take all litter home with you; trash can kill, especially when it is mistaken for food.

Participating in turtle watching programs actually helps to protect turtles by raising awareness about them. Be sure to find out about local laws and

regulations, as they may differ from these general guidelines.

ON THE BEACH

During breeding seasons, some special considerations apply to turtle nesting beaches.

- Avoid damaging incubating nests—do not drive on a turtle nesting beach or use it for camp fires or barbecues.
- Do not leave large items (such as chairs, umbrellas or vehicles) on nesting beaches at night. These can obstruct a turtle's path and prevent egg-laying.
- Keep pets, especially dogs, away as they can endanger eggs and hatchlings.
- Minimize beach lighting; artificial lights disorient turtles.
- Shield or switch off lighting that is visible from the beach.

Watching Nesting Turtles

- Turtles are very vulnerable on land and if startled, a turtle may return to the sea before her eggs can be successfully laid. Please follow these simple rules.
- Stay quiet and move slowly.
- Do not approach or photograph any turtles that have not yet laid their eggs.
- Make minimal use of flashlights and never shine lights directly into a turtle's face.
- Approach from behind and keep low to the ground.
- Move away if the turtle shows signs of distress.
- Never disturb turtle eggs or hatchlings.
- Limit viewing to 30 minutes at a time.

Photography

- Flash photography of nesting turtles is illegal in some places. Use a camera flash very sparingly if at all and take photos only from behind to avoid blinding the turtle.

Hatchling Turtles

- Shield hatchlings from beachfront lighting. Ask that lights be turned off long enough for the hatchlings to reach the sea.
- Do not interfere with their crawl to the sea.
- Never photograph hatchlings—they are very sensitive to light.

GOOD ENVIRONMENTAL PRACTICES FOR VIEWING MANTA RAYS

Manta ray guidelines first created by The Ocean Recreation Council of Hawaii and PADI's Project AWARE Manta Ray viewing Guidelines to hand to Customers: Manta rays of Kona, Hawaii Manta rays are large, beautiful sea creatures that live in warm temperate waters worldwide. Their side or pectoral fins have evolved into wide triangular wings that they use to easily propel themselves through the water. With wing spans reaching over 20' across, manta rays are one of the largest animals in the ocean. Their scientific name is *Manta birostris*. In Hawaiian, they are called Hahalua. Cousins to sharks, manta rays have cartilaginous skeletons that make for their graceful flexibility. Mantas are filter feeders and feed on plankton. They possess cephalic (head) fins that they use to help funnel food and water into their cavernous mouths. Mantas do not have teeth or tail stingers and are harmless to people. However, mantas are threatened by over fishing in several countries due to their long gestation period (13 months), low birth rate, late sexual maturity, and limited migration. The Kona coast of the Big Island of Hawaii is one of the best places in the world to respectfully observe manta rays. At night, manta rays glide, pivot, and somersault above mesmerized scuba divers. The underwater lights used by the divers attract clouds of plankton that the mantas feed on. Popularity in this dive is great, but it is important that all divers and snorkelers adhere to strict conservation guidelines (opposite side) during the encounter. The Kona manta rays have been studied closely since 1991 by Keller Laros, founder of Manta Pacific Research Foundation, and more recently by Tim Clark of the University of Hawaii who has conducted an extensive tracking study. Mantas are accurately identified by their unique ventral spot patterns. Mantas are named, cataloged and nightly sighting data is recorded. Lefty, the most popular ray in the Kona clan, is easy to identify because of her broken left cephalic fin, she was first identified in 1979. To learn more about manta rays go to www.mantapacific.org.

- 1.) Observe only: no touching. Resist the urge to "pet" the mantas. This will rub off their protective mucus coating. Do not chase, grab, or try to take a ride on the mantas. This doesn't benefit the animal in any way.
- 2.) Diver position: divers please stay on or near the sand, rubble or boulder bottom. An open water column is necessary for the mantas to maneuver. Avoid contact with coral, sea urchins, or other marine life. Form a semi-circle with your group.
- 3.) Snorkeler position: snorkelers please stay on the surface. Do not dive down into the water column where the mantas are feeding

4.) Lights: divers please hold your light and shine lights up into the water column to attract plankton. Snorkelers please shine lights down.

5.) Bubbles: divers please try to time your breathing so that you don't blow bubbles up into the manta if it passes over your head.

6.) Divers: we recommend you remove your snorkel from your mask and place it in your BC pocket as it can easily be snagged by the manta ray and dislodge your mask.

7.) Taking photos or video: When taking underwater photos or video, please be considerate of others. Adhere to these guidelines and let the mantas come to you aiming your lights up and not across the circle.

8.) If you do not follow these guidelines and are endangering the animals, upon the divemaster's discretion, you may be removed from the dive.

WEST HAWAIIAN EXCLUSION AREAS FOR SPINNER DOLPHIN



← *Honaunau*
0.25mi long (400yds)
0.15mi wide (250yards)

Kealakakua

- Red: 0.25mi long (400 yards)
- Blue: 0.35mi long (600yards)
- Yellow: 0.45mi long (800yds)
- All 0.10 yards wide (175yards)





Hookena

0.15mi Long (250yards)

0.10mi Wide (175yards)

Makako Bay North of Airport

0.25 mi Long (400yrds)

0.20 mi Wide (350yrds)



GOOD PRACTICES FOR WHALE WATCHING

The following is excerpted verbatim from *Humpback Whales, a Boating and Ocean Use Guide for Safety and Conservation* by the National Oceanic and Atmospheric Administration (NOAA)

The Basics: Staying Safe and Legal around Humpback Whales (*Megaptera novaeangliae*).

1.1 All ocean users (power boaters, sailors, jet skiers, kayakers, paddlers, windsurfers, swimmers, divers, etc.) shall:

(a) Keep a Safe Distance - Do not chase, closely approach, surround, swim with, or attempt to touch humpback whales.

(b) Follow federal regulations that prohibit approaching (by any means) closer than 100 yards (90 m) when on or in the water, and 1,000 feet (300 m) when operating an aircraft.

1.2 These and other federal marine mammal and endangered species protection regulations apply to all ocean users, year-round, from 0 to 200 miles from shore throughout the Hawaiian Islands.

2 Avoiding Collisions and Disturbance

2.1 Keep a Sharp Lookout - Vessel operators should always stay vigilant for whales and other collision hazards. Look out ahead for "blows" (puffs of mist), dorsal fins, tails, etc. Captains are further advised to post at least one dedicated whale lookout, in addition to the captain, from November through May.

2.2 Watch Your Speed - NOAA recommends boaters slow down when whales are present. Research indicates that collision injuries are less frequent and less severe when vessels travel at 13 knots or less.

2.3 Stay at the Helm - Keep hands on the wheel and throttle at all times, and be ready to take action immediately to avoid a whale in your path.

2.4 Keep Your Distance - Once whales are sighted, stay at least 100 yards away.

2.5 Stop immediately if within 100 yards of a humpback whale. Use prudent seamanship to decide to either move away slowly or wait for the whale to move away.

2.6 Go Around Whales from Behind, while maintaining 100 yards distance, if you encounter whales in your path. Do not attempt to run out in front of whales to get past them.

2.7 Warn Other Vessels - Use appropriate VHF radio protocol or other means to alert other vessels that may not be aware of whales in their path.

2.8 Don't Assume Whales See You or will get out of the way. Calves are especially vulnerable since they are curious and may not have learned to be cautious of vessels.

2.9 Plan Ahead for Delays in transit due to whale encounters; avoid nighttime operations if possible.

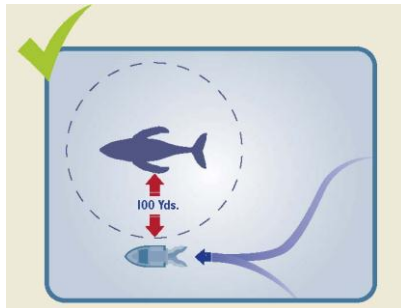
2.10 Call the NOAA Hotline if involved in a collision: 1-888-256-9840, or locally Justin Viezbicke cell phone 808-987-0765, NOAA enforcement 1-800-853-1964 or the Honolulu office at 1-800-541-2727 - If a phone call is not possible, hail the US Coast Guard on VHF channel 16.

2.11 Acceptable Maneuvers

2.11.1 Viewing from the side: When a vessel is viewing a whale from either side, it should remain at least 100 yards from the whale and parallel the animal at that distance.

2.11.2 Viewing from the rear: When a vessel is viewing from the rear, remain at least 100 yards behind the whale and adjust speed to that of the slowest.

Acceptable Maneuvers



Viewing from the side:

Carefully approach and parallel the whale, remaining more than 100 yards away. If approaching from the rear, maneuver far out and to the side of the whale, before carefully viewing as above. While viewing, match the speed of the slowest whale and follow all other guidelines and regulations.

2.12 Unacceptable Maneuvers

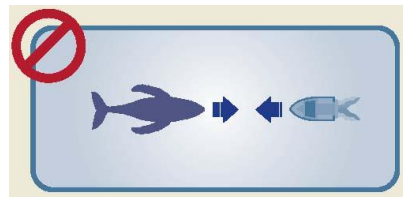
2.12.1 Approaching head-on: Never approach a whale head-on or in the path of the animal. If a vessel finds itself in the path of the whale, it should safely

maneuver out of the path of the animal, while maintaining a distance of at least 100 yards.

2.12.2 Never maneuver in such a way that would result in:

- (a) Cutting a whale off from deep water.
- (b) Surrounding a whale.
- (c) Placing your vessel between a mother and calf.
- (d) Leapfrogging/Overtaking.
- (e) Running in front or cutting across a whale's path.

Unacceptable Maneuvers



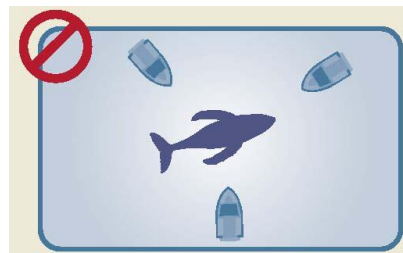
Approaching head-on: Never approach a whale head-on or in the path of the animal. If a vessel finds itself in the path of the whale, it should safely maneuver out of the path of the animal, while maintaining a distance of more than 100 yards.



Cutting a whale off from deep water.



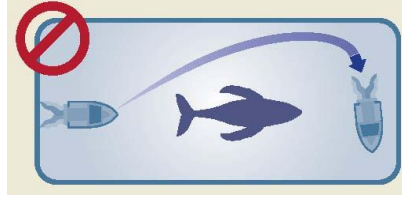
Running in front or cutting across a whale's path.



Surrounding a whale.



Placing your vessel between a mother and calf.



Leapfrogging/Overtaking.

3 Responsible Wildlife Viewing for all boat-based whale watchers

3.1 In addition to following the 100-yard approach regulation and other whale protection laws, ocean-going whale-watchers should:

- (a) Bring along binoculars and telephoto lenses to assure good views and photographs.
- (b) While passengers may scan in all directions for whales, the vessel operator should always follow the collision avoidance guidelines in this brochure.
- (c) Once whales are sighted, slowly approach and carefully parallel along side or follow from the rear, while maintaining at least 100 yards distance.
- (d) Never operate your vessel faster than the slowest whale in the group while paralleling or following.
- (e) Never approach whales head-on.
- (f) Never encircle, entrap, herd, or separate whales, especially mothers and calves.
- (g) Always leave whales plenty of room toward the open ocean to use as an "escape route."
- (h) Never "leapfrog" or cut in front of a whale's path.
- (i) Minimize sudden, unnecessary maneuvers or speed changes in the vicinity of whales.
- (j) Limit your observing time to 1/2 hour or less.
- (k) When several vessels are in the area, communicate with the other vessel operators to ensure that you do not cause disturbance.
- (l) Be aware that cumulative impacts may also occur. You and your vessel may not be the only one that day to have approached the same animals.

(m) When leaving the viewing area, slowly and vigilantly steer your vessel away - there may be other unseen whales nearby.

(n) Dispose of trash and vessel waste responsibly once on shore.

4 Signs of Whale Disturbance

4.1 Cautiously move away if you observe any of the following behaviors:

(a) Rapid changes in swimming direction or speed.

(b) Erratic swimming patterns.

(c) Escape tactics such as prolonged diving, underwater exhalation, underwater course changes, or rapid swimming away from your location at the surface.

(d) Female attempting to shield calf with her body or by her movements.

(e) Sudden stop in important breeding, nursing, feeding or resting activities after your arrival.

(f) Abandonment of previously frequented areas.

5 Reporting Incidents

5.1 Violations - Report 100-yard approach rule violations and other incidents of humpback whale harassment or disturbance to the NOAA Office of Law Enforcement, 24-hour enforcement hotline at 1-800-853-1964.

5.2 Injuries - Report injured, entangled, and stranded whales, vessel-whale collisions, and other marine mammal health concerns to the NOAA Fisheries Service 24-hour marine mammal hotline at 1-888-256-9840.

