

# NOTICE - ALL OCEAN USERS

## The 100-yard approach rule applies to you!

(kayakers, paddlers, windsurfers, swimmers, divers, boaters, etc.)

Federal law prohibits approaching any humpback whale within 100 yards or less in Hawaiian waters. (Please see inside for more information.)



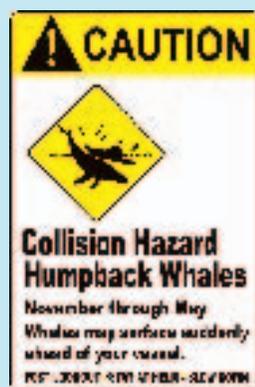
## Signs of Whale Disturbance

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

- Evasive behavior - swimming rapidly away, swimming erratically or prolonged dives.
- Vocalizations - trumpeting through blowhole.
- Female attempting to shield calf with her body or movements.

## Reporting Incidents

- **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**.
- **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**.



## Laws & Marine Mammal Viewing

All whales, dolphins and seals are protected by NOAA Fisheries Service under the Marine Mammal Protection Act of 1972 (MMPA). Humpback whales, sperm whales, monk seals and sea turtles are further protected by NOAA Fisheries Service under the Endangered Species Act of 1973 (ESA) and by the Hawai'i Department of Land and Natural Resources under Hawai'i State Law. NOAA's Hawaiian Islands Humpback Whale National Marine Sanctuary regulations provide additional protection for humpback whales and their habitat in Hawai'i.

The recommended guidelines presented here do not replace federal or state law. See NOAA regulations: 50 CFR Sections 216.3, 224.103, and 922.184.

Additional information is available at: <http://hawaiihumpbackwhale.noaa.gov>

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Special thanks to all members of the Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council.



# Humpback Whales

## A Boating and Ocean Use Guide for Safety and Conservation



As many as 10,000 humpback whales are in Hawaiian waters every year from about November through May. These acrobatic, 45-ton marine mammals attract wildlife enthusiasts, but they can pose safety hazards for boaters. Vessel-whale collisions occur every year in Hawai'i and are a serious risk to boaters and whales. Ocean users are also subject to safety risks when whales surface, breach, or slap their massive tails or flippers.

Humpback whale season in Hawai'i generally runs from November through May, although whales may be encountered in limited numbers during other months. **The usual peak in humpback abundance occurs from January through March.**

**Humpback whales congregate in ocean waters less than 600 feet deep throughout the main Hawaiian Islands.** Keep in mind, however, that mariners may also encounter humpback whales at the surface over deeper waters.

The information in this brochure is provided to enhance humpback whale protection, promote enjoyable and responsible whale watching, and help ocean users steer clear of dangerous, and possibly unlawful interactions with these endangered marine mammals.



**HEADS UP!**

# Guidelines and Regulations for Whale Protection and Human Safety

## For All Ocean Users

### The Basics: Staying Safe and Legal

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

- **Keep a Safe Distance** – Do not chase, closely approach, surround, swim with, or attempt to touch humpback whales.
- Follow federal regulations that prohibit approaching humpback whales (by any means) within 100 yards (90 m) when on or in the water, and 1,000 feet (300 m) when operating an aircraft. **This regulation applies to all ocean users, year-round throughout the Hawaiian Islands.**

## For All Boaters

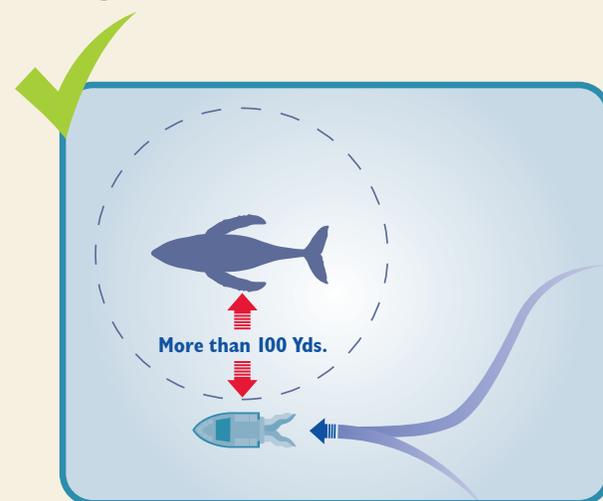
### Avoiding Collisions and Disturbance

- **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. Operators are further advised to post at least one dedicated whale lookout, in addition to the operator, from November through May.
- **Watch Your Speed** - NOAA recommends that vessels travel at a slow, safe speed in areas where a whale strike may occur. This speed depends on vessel type, time of day, sea conditions, and other factors that affect whale detection and avoidance. Research shows that collisions occurring at vessel speeds above 10 knots cause more whale deaths and serious injuries than collisions occurring at slower speeds.
- **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.
- **Keep Your Distance** – Once whales are sighted, stay more than 100 yards away.

- **Stop Immediately** if within 100 yards or less of a humpback whale. Leave engines running, out of gear (in neutral) until the whale moves away.
- **Go Around Whales from Behind**, while maintaining more than 100 yards distance, if you encounter whales in your path. Do not attempt to run out in front of whales to get past them.
- **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.
- **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.
- **Plan Ahead for Delays** in transit due to whale encounters; avoid nighttime operations if possible.

• **Call the NOAA Hotline** if involved in a collision: 1-888-256-9840 - If a phone call is not possible, hail the US Coast Guard on VHF channel 16.

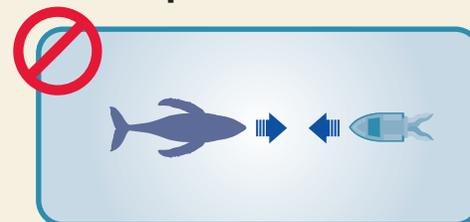
### Acceptable Maneuvers



**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 in this brochure.

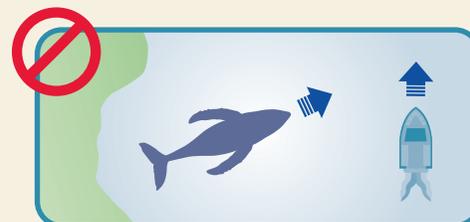
**Note:** Drawings not to scale.

### Unacceptable Maneuvers

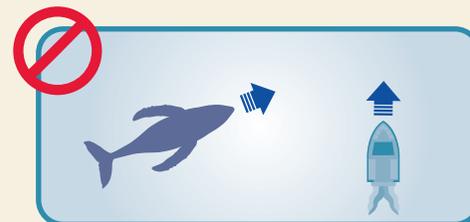


**Approaching head-on:**

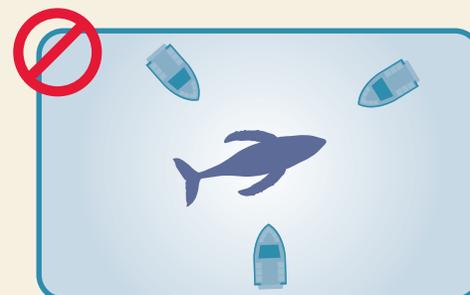
Never approach a whale head-on or in the path of the animal. If a vessel finds itself in the path of the whale, it should safely maneuver out of the path of the animal, while maintaining a distance of more than 100 yards.



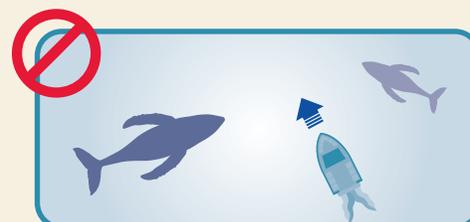
**Cutting a whale off from deep water.**



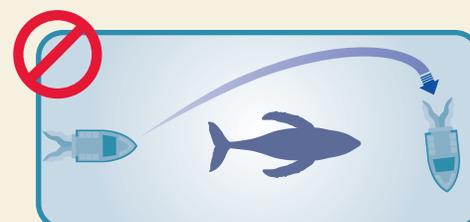
**Running in front or cutting across a whale's path.**



**Surrounding a whale.**



**Placing your vessel between a mother and calf.**



**Leapfrogging/ Overtaking.**

## For All Boat-Based Whale Watchers

### Responsible Wildlife Viewing

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

- Bring along binoculars and telephoto lenses to assure good views and photographs.
- While passengers may scan in all directions for whales, the vessel operator should always follow the collision avoidance guidelines in this brochure.
- Once whales are sighted, slowly approach and carefully parallel along side, while maintaining more than 100 yards distance.
- Never operate your vessel faster than the slowest whale in the group.
- Never approach whales head-on.
- Never encircle, entrap, herd, or separate whales, especially mothers and calves.
- Always leave whales plenty of room toward the open ocean to use as an “escape route.”
- Never “leapfrog” or cut in front of a whale’s path.
- Minimize sudden, unnecessary maneuvers or speed changes in the vicinity of whales.
- Limit your observing time to 1/2 hour or less.
- When several vessels are in the area, communicate with the other vessel operators to ensure that you do not cause disturbance.
- Please 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.
- When leaving the viewing area, slowly and vigilantly steer your vessel away – there may be other unseen whales nearby.
- Dispose of trash and vessel waste responsibly.