

DRAFT Proposed Guidelines for Whale Encounters

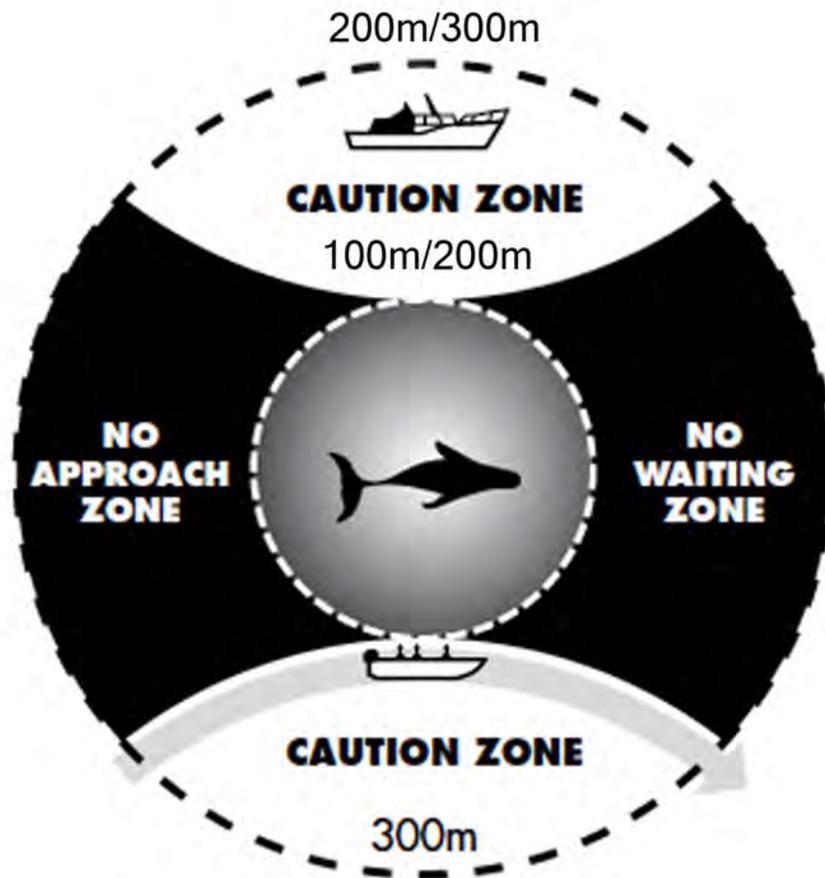
General:

- A person must not feed a whale.
- A person must not touch a whale.
- A person must not throw any rubbish overboard near or around a whale.
- Any interaction with a whale must be stopped at any sign of a whale becoming disturbed or alarmed.

In the water:

- A person must not deliberately enter the water or swim with a whale.
- If a person is already in the water, that person must not deliberately approach the whale.

By Boat:



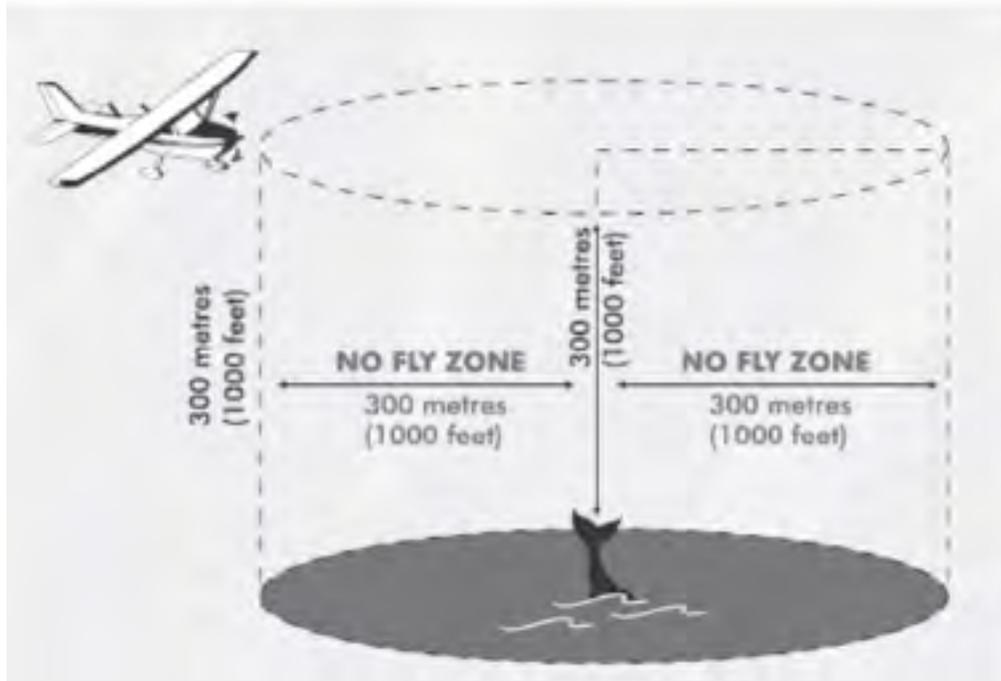
- A vessel must not approach a whale or group of whales closer than 200 metres.
- A caution zone of 300 metres must be maintained around the whale.
- A vessel must not approach a mother and calf.

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- Within the caution zone, vessels must maintain speed of idle or no wake.
- A vessel must not approach a whale or a group of whales directly from behind.
- A vessel must never approach a whale or group of whales head on.
- Vessels must approach a whale or group of whales from the side.
- Only one vessel is allowed within the 300 metre caution zone at a time.
- Interactions by vessel within the 300 metre caution zone shall be limited to 20 minutes every two hours for each individual whale or group of whales.
- Speed limit during whale watching season (1 June – 30 November) of 7 knots.
- A vessel must not make sudden or repeated changes in direction.
- A vessel must not circle around any whale or group of whales.
- A vessel must not separate a group of whales, cut off their path, or ‘box’ them in.
- Fishing boats with fishing gear out must not approach any whale and must make all efforts to remain 300 metres from the whales.
- Jet skis and jet boats must never approach a whale or group of whales. A distance of 500 metres must be maintained.
- A vessel’s crew must have whale watching training and be accredited by the Ministry of Tourism prior to taking any guests on board to whale watch.
- All vessels that take guests on board during whale watching season, whether specifically for whale watching or for another activity such as fishing or diving, must refer to the Whale Watching Regulations during the safety briefing to guests, and must post on the vessel or make copies available the Whale Watching Regulations to guests.
- A person operating a vessel must not consume alcohol or operate a vessel under the influence of alcohol.
- Any incident or interaction that causes injury to a whale or group of whales must be reported to the Ministry of Marine Resources.
- **Exhaust.** Exhaust contains toxins, including carbon monoxide, which replace oxygen in the bloodstream of any living creature. It is even more intense with whales than humans as the increase in pressure when they dive causes these toxins to enter their blood more rapidly than for non-diving animals.
- **Engine Noise.** Engine noise affects whales. Research is being done to find appropriate solutions to address noise caused by engines on boats that whale watch in the Cook Islands. Some solutions to consider include soundproofing and vibration insulation around the engine, maintenance requirements for propellers and engines, and limits on engines used for whale watching with regards to the engine stroke level, cylinders and horsepower.

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By aircraft:



- Helicopters must not whale watch.
- Helicopters must maintain a distance of at least 500 metres both vertically and horizontally when passing a whale.
- All other aircraft must maintain a distance of at least 300 metres both vertically and horizontally.
- Aircraft must make best effort to avoid casting a shadow on a whale.
- Interactions by air shall be limited to 10 minutes every two hours for each individual whale or group of whales.
- **Drones.** With the increase of drone use, appropriate solutions to use of drones around whales must be found. This issue to be discussed with the Government Stakeholders.