

Frequently Asked Questions about Boating with Whales

1. *What should you do if a whale approaches your boat? Should there be a different response for different types of whales?* Boaters should follow the federal law as often as possible. It is their responsibility to move out of the path of the killer whales. It is safe to motor out of the path of the killer whales if the boater is further than 200 yards from the whales. If the whales are closer than 100 yards, the boater should turn their engines off and wait until the whales are 200 yards away. At that time, the boater should again try to move their vessel outside of the federal law. Baleen whales are protected by the Marine Mammal Protection Act and boaters should stay a minimum of 100 yards away at all times.
2. *If one finds oneself in this situation is one in trouble with the law?* If a boater has intentionally placed themselves in the path of the killer whales, yes, the boater could receive a ticket for violating the federal and state laws. If the killer whales moved towards the boater and the boater had time to move but did not, then again, yes, they would be breaking the law. Every situation is different and there are always a number of variables to consider.
3. *Why do whales exhibit this behavior of orcas pacing a vessel and playing in the wake and slipstream of a moving vessel? (I think the answer is obvious, it looks like fun)* It could be fun for them, it could be a way to travel faster or any other number of reasons. Killer whales are very intelligent creatures and we can only guess at the meaning behind their behaviors. If the whales are travelling in a vessel's wake in the United States, the vessel will be breaking the law. The best thing to do in that situation is to carefully slow down (under 7 knots) and move away from the whales as time and their behavior allows.
4. *What harm comes to the whales from their close proximity to vessels/people? What harm comes to them when they play alongside a moving boat?* The harm comes from the vessels themselves. There are many studies regarding underwater noise and the effects it has on the killer whales. Research has shown the whales do "speak" louder and echolocate louder to compensate for the increase in vessel noise. Right now, the main food source for the killer whales is the Fraser River Chinook salmon, an endangered species. The louder it is underwater, the harder it is for the killer whales to locate the salmon whose population has already decreased drastically. Propellers on boats can also cause serious harm to the killer whales. Luna (L98) was a young killer whale that became very friendly with boaters. She often swam in their wakes (regardless of the vessel size) and because people encouraged this behavior, she often approached vessels that she should have stayed away

from. In the end, she was playing off the stern of a vessel and ended up getting tangled in the propeller and lost her life. While it is rare to have a boat strike, it's better to have none, especially with an endangered population. For human powered vessels who do not have propellers, people's safety is at risk and not the whales. When kayaks or paddle boarders are rafted together, they create a larger surface signature that the whales can easily avoid when coming up for air. When a large group of people are spread out, the whales could avoid one and get too close to another, displacing a paddler and potentially creating a safety hazard. The other main idea to consider is that each vessel on the water whether human powered or motor-powered or sail does in fact leave trace toxins. One of the main reasons the killer whales were listed as endangered is due to the toxins in the water such as PCBS, DDT, and PBDEs or flame retardants. Flame retardants are in everything from clothing to plastic to paint. Each person on the water is responsible to some degree to adding to those increased levels. Studies are showing that toxins can be at high enough levels to kill certain fish in the Salish Sea, Native Americans have to limit the amount of fish they eat due to toxin levels and whales reproductive and immune systems begin to fail when too many toxins are in their system.

5. *By "disengage transmission" does that mean you are to give up steerage? (This could present a problem for some boats in some seas)* If a boater does disengage their transmission, they could lose steering however if they are at the point where they do have to disengage, a boater has already broken the federal law and did not move out of the path of the killer whales. If the boater is concerned about having their motor disengaged due to the weather conditions, the odds are good they should have set a course for their home port earlier in the day. In some situations, it is detrimental to disengage a motor. If that does occur, the boater needs to use their best judgment to either move out of the path of the whales before they are within 200 yards or motor as slowly as possible till they are in a safer situation where they could disengage their transmission until the whales have passed.

6. *Do sailboats have to stop sailing?* When possible, sailboats should alter their course to stay outside of the federal law and stay away from vessel traffic associated with whale watching.