

Whale SENSE Alaska Program Framework

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Whale SENSE Program Partners:

NOAA Fisheries Alaska Regional Office

Whale and Dolphin Conservation

NOAA Fisheries Greater Atlantic Regional Fisheries Office

NOAA National Marine Sanctuaries

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I. Program Overview

Whale SENSE is a voluntary education and recognition program offered to commercial whale watching companies in the U.S. Atlantic and Alaska Regions. This framework covers the program for operators in Alaska waters. Developed in collaboration with the whale watching industry, Whale SENSE recognizes whale watching companies that are committed to responsible practices, public education, and stewardship of large whales. The program is sponsored by the National Oceanic and Atmospheric Administration (NOAA), Whale and Dolphin Conservation, and Stellwagen Bank National Marine Sanctuary.

The purpose of this program is to:

- Encourage and empower whale watching industry leaders to serve as conservation stewards in the preservation of large whale species;
- Minimize the potential harassment of whales and other marine mammals that may result from commercial whale and wildlife viewing activities;
- Set passenger trip expectations before and after booking;
- Educate passengers on whale protections and conservation measures consistent with NOAA's [Alaska Humpback Whale Approach Regulations](https://www.fisheries.noaa.gov/action/alaska-humpback-whale-approach-regulations)¹ and [Marine Mammal Viewing Guidelines](https://www.fisheries.noaa.gov/alaska/marine-life-viewing-guidelines/alaska-marine-mammal-viewing-guidelines-and-regulations)²;
- Reduce the potential causes of whale harassment with proper vessel movement around whales, sound understanding of guidelines and regulations applicable to responsible whale watching, and awareness of large whale behavior and signs of disturbance;
- Increase reliable and quality educational messaging to whale watch passengers such that passengers have the opportunity to grow their scientific and ocean literacy while on their whale watching excursions;
- Promote the Whale SENSE program's commitment to responsible whale watching practices, whale conservation, and ocean stewardship.

Whale SENSE is an education and public awareness program, not a law enforcement program. Any suspected violations of the Marine Mammal Protection Act (MMPA) or other laws will continue to be passed on to the NOAA Fisheries Office of Law Enforcement.

II. Eligibility

Businesses conducting commercial whale watching tours from Alaskan ports are eligible for Whale SENSE participation. Accreditation applies to an entire company, therefore all vessels, whether they are underway as a whale watching tour, charter fishing or water taxi, must adhere

¹ <https://www.fisheries.noaa.gov/action/alaska-humpback-whale-approach-regulations>

² <https://www.fisheries.noaa.gov/alaska/marine-life-viewing-guidelines/alaska-marine-mammal-viewing-guidelines-and-regulations>

to the program criteria. At this time, we are unable to offer the Whale SENSE program to tour operators that offer exclusively multi-day tours.

III. Application and Acceptance

Apply to be a Whale SENSE company

Business owners or fleet managers must complete the Google Form application each year before the start of the season.

January – April 1: Open enrollment begins. Your Whale SENSE Coordinator will provide a checklist of the program components and criteria.

May 15: All early-season program components and criteria are complete in order to advance as an official Whale SENSE member for the calendar year. May 15 early season criteria include:

Complete Annual Training: All of the company's current Captains and Naturalists/Guides have completed the online Whale SENSE training prior to **May 15** or within 2 weeks of their starting date. Each company must confirm with their Whale SENSE Coordinator that their crew are up-to-date on this requirement. A current list of individuals who have completed the current year's training may be requested from their Whale SENSE Coordinator.

Whale SENSE Member Logo: The Whale SENSE Coordinator will provide a "Member Since" Whale SENSE Logo to each company accepted into the Whale SENSE program. This should be displayed on the company website and linked to www.whalesense.org.

Vessel Materials: Participants need to confirm with their Whale SENSE Coordinator that all the required Whale SENSE materials are posted on their vessel(s) where passengers can see them. These will be emailed digitally, and hard copies are available upon request.

Stewardship Project Proposal: Each company needs to share a written explanation of the Stewardship Project your company intends to complete and approximate completion date with their Whale SENSE Coordinator.

Acceptance

Whale SENSE Coordinators will review enrollment applications to determine company eligibility. Whale SENSE Coordinators will reach out to companies to inform them of their eligibility. If eligible, each company must complete the early season program component requirements by May 15. If a company does not complete these requirements on time, and has not made other arrangements with their Whale SENSE coordinator prior to, they will not be considered a Whale SENSE company in that given year.

IV. Criteria for Whale SENSE Participation

Comply with applicable laws

Participating companies comply with all applicable resource protection laws and regulations

(e.g. [Marine Mammal Protection Act](#)³, [Endangered Species Act](#)⁴, [Magnusson-Stevens Act](#)⁵ and [Alaska Humpback Whale Approach Regulations](#)⁶).

Participate in annual training

Participating operators, captains, and naturalists/interpreters/narrators must participate in annual Whale SENSE online training to attain an accurate knowledge on laws protecting whales, whale viewing etiquette, natural versus disturbed behaviors, research and conservation messaging, anthropogenic interaction, and reporting.

Participating owners/managers must ensure all naturalists, operators, and captains will be trained according to program standards and are responsible for getting their crew the information they need to take the training. Participating companies must report to the Whale SENSE Coordinator when all crew have completed the training.

Promote the Whale SENSE Program

Onboard Program Materials: Coordinators will share the required onboard materials at the start of each season. Participants will be responsible for finding an appropriate place to display them where passengers can easily notice them.

Member Logo: The company website will host the Whale SENSE Member Logo and link to the Whale SENSE www.WhaleSENSE.org. Companies may also choose to highlight the Whale SENSE program further on their website. Two good ways to do this are:

1. Link the Whale SENSE logo image on your page footer or sidebar.
2. Add a short section on your website describing what Whale SENSE is and why your company is committed to it.

Conduct educational briefings onboard

It is important to educate your passengers about the Whale SENSE program. Draw attention to your efforts as a Whale SENSE Participant and help foster public concern for the welfare of whales. Preferably prior to viewing whales, naturalists/interpreters/guides will brief passengers on the following:

1. What the Whale SENSE program is and where to obtain more information;
2. Why the program is important for whale conservation;
3. Why your company participates in Whale SENSE;
4. The code of conduct that Participant's agree to follow; and
5. Who the program partners are.

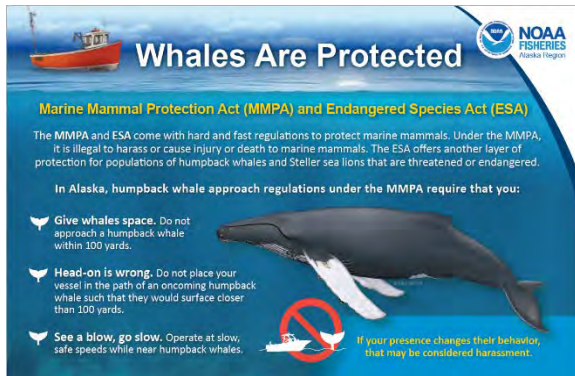
³ <https://www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-protection-act-policies-guidance-and-regulations>

⁴ <https://www.fisheries.noaa.gov/national/endangered-species-conservation/endangered-species-act>

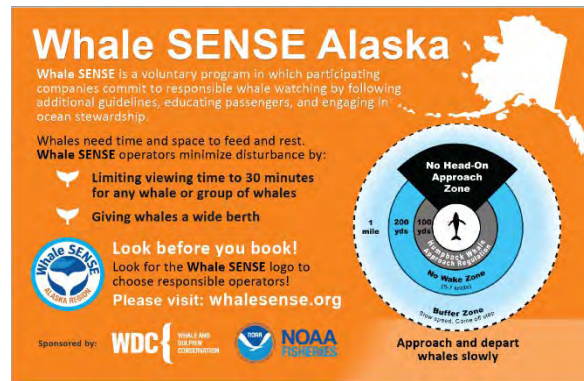
⁵ <https://www.fisheries.noaa.gov/topic/laws-policies/magnuson-stevens-act>

⁶ <https://www.fisheries.noaa.gov/action/alaska-humpback-whale-approach-regulations>

Naturalists should identify and explain to passengers the purpose and importance of protections for marine mammals like the NOAA Fisheries [Alaska 100-yard Humpback Whale Approach Regulations](https://www.fisheries.noaa.gov/action/alaska-humpback-whale-approach-regulations)⁷ and [Alaska Marine Mammal Viewing Guidelines](https://www.fisheries.noaa.gov/alaska/marine-life-viewing-guidelines/alaska-marine-mammal-viewing-guidelines-and-regulations)⁸. Educate your passengers of the two federal laws that protect marine mammals; the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA). These main points are available on this cheat sheet that is available on request.



(front)



(back)

Example 30 second announcement:

“As we begin our trip, I’d like to tell you about Whale SENSE, a voluntary program our company is proud to participate in. Whale SENSE is a partnership between NOAA Fisheries, Whale and Dolphin Conservation, and whale watch operators to promote responsible whale viewing and stewardship of the marine environment. As members of the program, we follow certain guidelines like slowing our speed around whales, managing our time near whales, and coordinating viewing with other operators for the wellbeing of these wild animals. If you’re interested in learning more, feel free to ask me about Whale SENSE during our trip.”

Promote stewardship

Participants will create and/or participate in a stewardship project each year. The stewardship project needs to be defined in writing by May 15 and signed off by your Whale SENSE Coordinator.

Selecting a project that fits your company: Stewardship projects can be individual to the company, but need to demonstrate environmental stewardship and leadership. The size and scope of the project needs to be appropriate for the size of the participating company - as a rule of thumb, projects should include participation by at least 70% of a company's employees. Multiple companies may work together on stewardship projects, in fact we encourage it! We recommended that the goals of the project be shared with passengers onboard each trip to help inspire guests to consider ways that they can improve their environmental practices.

⁷ <https://www.fisheries.noaa.gov/action/alaska-humpback-whale-approach-regulations>

⁸ <https://www.fisheries.noaa.gov/alaska/marine-life-viewing-guidelines/alaska-marine-mammal-viewing-guidelines-and-regulations>

Stewardship projects should be completed by **September 1**, unless other arrangements have been made in advance. Projects are considered complete after the company has submitted photo(s) and a description summarizing how the project went to your Whale SENSE Coordinator. Project descriptions will be shared with other participating companies and you will be recognized on Whale SENSE social media.

For inspiration on marine and environmental stewardship projects, look at NOAA's [Ocean Literacy Principles](#)⁹, NOAA's [Ocean Guardian School Program](#)¹⁰, [Take 3 for the Sea](#)¹¹.

Examples of projects may include (but are not limited to):

- Participate in marine debris and beach clean-ups;
- Reduce and eliminate single use plastics and implement an innovative recycling programs;
- Sponsor an internship;
- Support marine mammal research;
- Take classrooms out for educational whale watches;
- Host educational talks at public venues, such as libraries and schools; or
- Work with your Whale SENSE Coordinator to create something new!

Engage in responsible advertising

Participants agree to engage in advertising that promotes responsible wildlife viewing and follow NOAA Fisheries "Recommendations for Advertising Wild Marine Mammal Viewing" (full guidance available on request and can be found in the online training). The advertising guidelines are intended to help participants advertise responsible marine mammal viewing by avoiding advertisements that raise the public's expectation to engage in inappropriate, close human interactions with marine mammals.

1. Do not depict people touching, pursuing, chasing, attempting to swim with, or closely interacting with wild marine mammals or any activities that would violate the MMPA or ESA or other regulatory measures.
2. Do not show vessels underway within close approach zones (e.g. vessels with wakes within 100 yards of a humpback whale or other marine mammal species).
3. Include a prepared statement or photo caption about responsible whale viewing in advertisements with a close approach depicted.

Example "This vessel adheres to NOAA Fisheries Alaska Humpback Whale Approach Regulations and does not intentionally approach whales within 100 yards. For the safety of whales and our passengers, if a whale approaches our vessel within 100 yards, we

⁹ <https://oceanservice.noaa.gov/education/literacy.html>

¹⁰ https://sanctuaries.noaa.gov/education/ocean_guardian/examples.html

¹¹ <https://www.take3.org/>

place the engine in neutral and wait until the animal is located safely away from the vessel before reengaging the engines.”

If this statement is too long for available page space, the first sentence can be considered adequate.

“Advertising” includes any print or electronic advertisements that mention the business’s name or those linked to the business, search engine listings, and any posted photos. This also includes, but is not limited to, pitch sheets, print, web, visual, and radio. Flexibility will be given to new companies that enrolled after their seasonal brochures are printed. In these cases, meeting these criteria will only be applied to electronic sources (i.e. websites, social media sites, etc.).

Report problems to the appropriate networks

Keep these important contacts available in the wheelhouse:

Participants agree to report vessel strikes and stranded (distressed, injured, dead, entangled) marine mammals to the **Alaska Stranding Network Hotline: 1-877-925-7773**, and/or **U.S. Coast Guard via CH-16**.

- If an entangled whale is reported, where possible, stand-by and keep the whale in sight.
- If you need to leave, try and find another boat that can stand by until Stranding Network responders can be reached.

Report Marine Mammal Protection Act and/or Endangered Species Act violations to NOAA’s **Office of Law Enforcement Hotline: 1-800-853-1964**.

Prevent harassment

Follow the NOAA Fisheries policy statement on marine mammal harassment:

“Interacting with wild marine mammals should not be attempted, and viewing marine mammals must be conducted in a manner that does not harass the animals. NOAA Fisheries cannot support, condone, approve or authorize activities that involve closely approaching, interacting or attempting to interact with whales, dolphins, porpoises, seals or sea lions in the wild. This includes attempting to swim with, pet, touch, or elicit a reaction from the animals.”

Utilize best practices and follow NOAA Fisheries [Alaska Humpback Whale Approach Regulations and Marine Mammal Viewing Guidelines](https://www.fisheries.noaa.gov/alaska/marine-life-viewing-guidelines/alaska-marine-mammal-viewing-guidelines-and-regulations)¹² to the best of the vessel's operational ability.

Whale SENSE operators agree to not deploy and fly unmanned aircraft (i.e. drones) from their vessels during tours in an effort to reduce disturbance to wildlife and other vessels on the water.

Set an example on the water

Set an example that other private and commercial operators can follow and help to encourage a culture of responsible viewing practices.

¹² <https://www.fisheries.noaa.gov/alaska/marine-life-viewing-guidelines/alaska-marine-mammal-viewing-guidelines-and-regulations>

Even when a boat is being used for other purposes (such as water taxi or charter fishing services), the Whale SENSE objectives should not be compromised. Participating companies agree to uphold a standard of responsible practices and code of conduct if marine mammals are viewed during these additional activities.

Engage in the feedback process

We love to hear your feedback. Let us know your thoughts and ideas so we can continue to develop and enrich the program.

We will establish various platforms for this, including pre- and post-season meetings as needed. We ask that participants prioritize attending these meetings and send at least one representative from each company.

Participate in annual evaluation

Participating companies agree to participate in annual evaluation processes described in [section VI](#) of this Framework.

Program evaluation will assess Whale SENSE's effectiveness and measure the program's success in meeting the program objectives.

V. Program Evaluation

Evaluation of participants each year is essential to gauge the program's effectiveness and success. Evaluations ensure that the Whale SENSE criteria are followed and encourage constructive dialogue with program coordinators. Evaluation can take several forms and can include:

Onboard ride-alongs: Where possible, in-person observations and visits will be made to get a feel for the tour and check for program compliance. This can be a great way to identify problems and start a conversation to help correct them. Ride-alongs can be announced or unannounced and can be opportunistic or planned specifically for purposes of evaluation. Ride-alongs are completed by a trained Whale SENSE evaluator who is purchasing a ticket to join the tour. The participating company will receive feedback about the tour in a follow-up email from your coordinator.

Dockside visits: These can be done at any time by trained Whale SENSE evaluators. While at the dock, they may stop by and ask if it is a good time to say hello, check that onboard materials are up-to-date, and field any questions about Whale SENSE or other general questions the crew may have.

Passenger feedback: This is a mechanism whereby passengers can share their experience about Whale SENSE requirements during a tour with the Whale SENSE coordinators.

Secondary platform observations: These are generally opportunistic. Evaluating vessel maneuvering of other boats in the area may be part of a dedicated ride-long or an opportunistic observation.

Website evaluations: Reviewing public facing materials for compliance with responsible advertising and Whale SENSE logo requirements.

VI. Compliance issues and complaints procedure

We sometimes receive reports from other operators, passengers, or the public regarding concerns with program compliance. Complaints that are specific to the Whale SENSE program requirements and do not rise to the level of legal violation will be evaluated and addressed by the Whale SENSE Coordinators. If you have concerns about compliance for any Whale SENSE company, please reach out to your coordinator.

- A. The Whale SENSE Coordinator will forward a copy of the complaint to the participant involved, outlining the main points of the complaint.
- B. The complainant's Personally Identifiable Information (i.e. name, address, email, etc.) will not be disclosed or made public.
- C. Any complaints that are potentially legal violations of the Marine Mammal Protection Act and/or Endangered Species Act will be routed to NOAA's Office of Law Enforcement.

Because program participant status is granted on an annual basis, Whale SENSE coordinators will use past-year evaluations, complaints, and violations to help inform decisions for accepting companies in the upcoming year. Issues that come up during evaluations or any complaints or violations will not automatically prohibit companies from being accepted into the Whale SENSE program in future years. Instead, Whale SENSE coordinators will work with companies to find remedy to compliance issues and attempt to work with companies to better succeed in the program. Still, in some cases companies may not be accepted back into the program if the Whale SENSE coordinators deem the past compliance issues to be too egregious or if issues have not been properly remedied.