

Guideline for Whale and Dolphin Watching – Water Based Adventure Tourism Activities

For Registration with Sri Lanka Tourism Development Authority

▪ Background

Whale and dolphin watching as an activity of tourism, brings an economic opportunity for many communities around the country while offering different impacts on individual whales and dolphins with their populations and habitats. On the other hand, non-regulated tourism activities related to Whale and dolphin watching industry causes the safety and security lapses for local and international tourists engaged in such activities. Considering the development of tourism, enforcement of guidelines in Sri Lankan marine waters to regulate it for tourism activities on Whale and dolphin watching provide the adequacy for the conservation of Whale and dolphin watching industry; Hereby defined a regulation to prevent and suppress the irregularities in Whale and dolphin watching activities found in Sri Lankan marine waters, in accordance with **section 69 of Tourism Act No. 38 of 2005**.

▪ Introduction

'Whale and Dolphin Watching' has become one of the main marine tourist attractions in Sri Lanka and many other countries in the world. It is appropriate to use the term 'Whale and Dolphin watching' as an umbrella term for close range observation of Whales, Dolphins and Sea Dugongs. Whale and Dolphin Watching has increase in popularity and its important economic benefit to many coastal communities. Swimming including snorkeling or diving etc. with whale or dolphin or touching of animals is strictly discourage as people and animals are at risk.

▪ Purpose/Objectives

- To regulate the best practices in whale and dolphin watching interact the animals to move freely without being chased or harassed such as
 - a) The animals may be particularly sensitive to disturbance cause by noise of vessels, aircrafts, people or may be injures through entanglement with fishing gear or marine debris.
 - b) The disturbed whale or Dolphin will move away erratically or change direction on high speed or conduct hasty dives.
 - c) Many species of whales and dolphin are residing or dependent upon specific areas for survival and to display biologically important behavior such as breeding, foraging, resting or migration.

- To increase the security and safety for the local and international tourists engaged in whale and dolphin watching

- **Basic Operating Procedures/Guidelines**

- To register the above activity, the vessels and crew should adhere to the following gazette notification and obtain valid certificate.

a. Merchant Shipping Act No. 52 of 1971.

b. Wildlife, Fauna and Flora Protection Act No. 469 of 2019.

- Vessels/boats engage in whale and dolphin watching activities should adhere to the following conditions.

a) All personal motorized water crafts (eg: Jet-skies, water scooters, hovercrafts, etc.) is prohibited for used in whale and dolphin watching activities.

All other motorized water craft such as motor boats, yachts, kayak, canoe, surf skis and inflatable water crafts could engage in whale or dolphin watching with careful handling of the craft around the animal with minimum disturbance. Silane is encouraged to increase the possibility of seeing Whales.

(i) No more than three (03) vessels are allowed within the caution zone of 300m as any given time. The no approach zone of vessels for whale or dolphin watching is 100 m and should not wait in front of the direction of travel of the animal.

(ii) operating a helicopter in the vicinity of whales and dolphins must not fly lower than 500m within a 500m radius of a whale or dolphin; and approach a whale or dolphin from head on.

i. The maximum speed of the vessel engage in whale and dolphin should be less than 06 knots within the above zone.

ii. Slow approach to the whales at Constance speed is encouraged.

b) If a particular location attracts large number of visitors the no of boats could be limited and time for interaction with animal could be reduced.

c) Suggest to have a propeller guard on vessels/boats on commercial whale and dolphin watching for the safety of animals.

d) Regular hull and propeller maintenance and removal of fouling is essential to minimize the noise pollution.

e) The noise/sound level should be minimum in communication, navigation, constant restarting and rapid changes of engine to avoid disturbance to the animal.

f) The vessel could be left to drift out of gear but engine is in operation.

g) No swimming or diving with whales are offered in Sri Lankan marine water.

▪ **Mandatory equipment**

Following mandatory equipment should have the approval from Director General of Merchant Shipping (DGMS).

- a) Vessels / Boats
- b) Communication equipment
- c) Adequate amount of Life-Jackets approved by SLS
- d) Adequate no. of fire-extinguishers
- e) Adequate First-Aid facilities.
- f) Binoculars

▪ **Safety and Risk Management**

- a) All participants and crew should wear the approved life jacket on board.
- b) Detailed safety briefing including "Do's and Don'ts" must be done prior to commence the activity.
- c) Distance or proximity to the marine life should maintain as specified by relevant authorities, such as Department of Wildlife, National Aquatic Resources Authority (NARA), Sri Lanka Navy and Department of Coast Guard etc.
- d) The participants should be given prior instructions of possible accidents, precautions and safe evacuation.
- e) If whales approach the boat, go to engine neutral and only re-engage when passed.
- f) All participants and crew should be insured under public liability insurance cover.
- g) Not adhering to the safety requirement will have greater impact on whales and dolphin and pose an increase risk to human safety.

▪ **General Information**

- a) For facilities on land refer to the guidelines provided by the Fishery Harbours Corporation.
- b) For facilities on board refer to Merchant Shipping Act No. 52 of 1971.

- **Required documents/Approvals**

- a) Marine Survey Report from the relevant authority.
- b) Valid insurance cover, covering comprehensive public liability.
- c) The boat operation should have a valid Coxswain Certificate issued by Sri Lanka Ports Authority or any other Government approved authority to drive the particular boat.
- d) A Life Saving Swimming and First Aid Certificate of the crew members.