



POLICY TITLE: ENVIRONMENTAL POLICY FOR WHALE SHARK (RHINCODON TYPUS), DEVIL RAY (MOBULA TARAPACANA) AND CETACEAN INTERACTION ACTIVITIES ON ST. HELENA ISLAND TO MINIMISE RISK OF INJURY AND DISTURBANCE

Policy written by Environment Management Division, St Helena Government and formally adopted by SHG committee

Date approved:

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Lead officer:

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BACKGROUND

- Effective management of the environment is National Goal 3 under the Sustainable Development Plan. Strategic Objective 6.2 states: St Helena’s environment, both terrestrial and marine, safeguarded for future generations through effective environmental management. Strategic Objectives 1.2 and 7.4 will also be addressed;
- The National Environmental Management Plan (NEMP) has been created to implement this national goal;
- This policy will provide a procedure for any operator or persons that intends to interact with whale sharks, devil rays or cetaceans. It will also directly address sections 10 and 16.2 of the NEMP specifically the clause ‘Ensuring the marine and terrestrial resources are sustainably managed through works, studies, assessment, monitoring, policies and programmes’;
- Key assets of St. Helena’s marine environment are its resident populations of dolphins and the seasonal migration of whale sharks (present in the waters between November to May each year) and humpback whales (present in the waters between June to December each year). There are three resident, one seasonal and four species seen on rare occasions of cetaceans which utilise St Helena waters;
- Whale sharks are IUCN red listed as vulnerable;
- The whale shark is the largest fish in the world. These gentle marine giants roam the oceans around the globe, generally alone. However, large numbers of whale sharks often gather in areas with abundant plankton food—making them prime tourist attractions;
- Whale sharks are relatively slow moving and docile animals. On St. Helena whale sharks will readily approach boats, and snorkelers if they do not feel threatened. They will often remain close if not chased or harassed;
- There is substantial growth anticipated in the tourism industry upon completion of the islands airport. To date human interaction with whale sharks has not been regulated as from a tourism perspective operators have not offered commercial whale shark tours;
- Cetacean tours are currently offered, with informal basic guidelines on interactions however this policy will formalise these recommendations;
- This policy and associated procedures and guidelines reflect best practise for tour operators and recreational boat owners on island;
- The responsibility of ENRD is to ensure that the relevant procedures are available to all users of the marine environment with the overall aim to preserve and protect it for future generations;
- To ensure effective management of the marine environment, a proactive rather than reactive approach is required;

- The welfare of whale sharks, cetaceans and devil rays is paramount; and
- This policy provides these parameters.

LEGISLATIVE BACKGROUND

- To date there is no specific legislation or policy that protects whale sharks, devil rays or cetaceans from the disturbance that can be caused by human interaction. The Endangered Species Protection Ordinance 2003 states it is an offence to damage or kill various marine species and it is recognised internationally that over exploitation of these species by humans, both tourists and boat operators, can potentially cause injury, death or significant disturbance to these animals. This policy and the accompanying procedures aim to reduce this risk to negligible levels;
- This policy forms part of the St Helena Marine Management Plan (in draft); and
- This policy will be supported by the Environmental Protection Ordinance (in draft).

POLICY AIM:

This policy aims to:

- Minimize the negative impacts associated with human activity towards whale sharks, devil rays and cetaceans through guided interaction;
- Ensure that whale sharks, devil rays and cetaceans are not harmed by tourism or boating activities; and
- Work with accredited tour operators and local boat owners to collect valuable scientific data and to support the development of the eco-tourism industry.

POLICY STATEMENTS:

The following policy statements are recognised as good practise and should be adhered to on St. Helena:

All tour operators wishing to interact with whale sharks and/or cetaceans must obtain accreditation from the Environment and Natural Resources Directorate (ENRD) of St Helena Government. Accreditation will be attained if the operator attends the course provided and demonstrates the competencies expected through assessment. In granting access for these activities, vessels must adhere to licensing criteria including holding public liability insurance and having a qualified emergency first aid responder on board

1) Whale sharks

1.1 Whale sharks: Tour guides, boatmen and fishermen

- Local recreational boat owners who wish to interact with whale sharks (not for money or reward) must first attend a briefing by ENRD on interaction guidelines and will be responsible for providing interaction information to ENRD post interaction. ENRD will provide leaflets containing interaction guidelines and will offer a training session at the start of each whale shark season for local recreational boat owners who may wish to interact with whale sharks during that season;
- Non local/ visiting vessels e.g. yachts etc are prohibited to interact with whale sharks unless they are accompanied by a locally accredited tour operator;
- Only **TWO** vessels are allowed within the proximity of the one/aggregation of whale sharks on first come basis (this includes commercial and recreational vessels). Vessels need to cooperate to ensure maximum number of snorkelers (8 people) in the water is adhered to;
- To avoid harassing the sharks and to maximize safety of the snorkelers, boats should keep a distance of 30m away from each other during a whale shark tour. Further vessels must maintain a distance of 500m from other vessels interacting with whale sharks;
- A full interaction briefing must be given prior to anyone entering the water. This is to include all safety aspects and permitted interaction information;
- All persons are to remain at the side of the whale shark – do not deliberately block the whale sharks path;
- All boats should approach whale sharks at idle speed or no more than 2 knots/hour, and remain at least 15m away from the animal(s). Vessels should not block the path of the whale shark. Snorkelers should be dropped into water 15m from the whale shark/s;
- A total interaction time of 45 minutes is permitted with an individual/aggregation of whale sharks;
- When snorkelers have returned to the boat, leave the area to give other tour guides and guests an opportunity with a whale shark;
- At any one time only 8 snorkelers are permitted in the water with one whale shark/aggregation of whale sharks;
- Deliberate scuba diving with whale sharks is prohibited unless for scientific purposes and in receipt of a valid research permit (in draft);
- Feeding of whales sharks is strictly prohibited;

- Propeller guards are advised for all vessels conducting commercial whale shark tours both for protection of the whale sharks and for human safety. This will become a mandatory requirement within one year of approval of this policy for vessels with outboard motors;
- Tour vessels must display an A (Alpha) flag (internationally recognised "I have people in the water; keep well clear at slow speed." whilst snorkelers are in the water);
- Tour and recreational vessels must avoid commercial fishing vessels whilst they are fishing (even if whale sharks are in the vicinity of the fishing vessel);
- ENRD reserve the right to complete random spot checks with boat owners for the purposes of checking accreditation compliance;

1.2 Whale sharks: Snorkelers

- Snorkelers are to ensure that they receive a whale shark interaction briefing from their accredited whale shark tour operator and adhere to the guidelines given;
- Deliberately touching or riding whale sharks is strictly prohibited (this will be a finable offense under the Environmental Protection Ordinance (in draft));
- The use of flash for underwater photography is strictly prohibited;
- All persons are to remain a minimum of 3m swimming distance away from the whale sharks, and a minimum of 4m away from the whale shark tail, and must remain at the side of the whale shark only;
- Do not chase after a whale shark with a motorised propulsion device. Keep disturbance to a minimum i.e. no screaming, shouting; and
- Snorkelers must follow the instructions of the tour operator, including all safety instructions and must return to the vessel when instructed.

2 Devil rays:

- Whilst scuba diving or snorkelling deliberate touching, riding or feeding of devil rays is strictly prohibited

3 Cetaceans (whales and dolphins): Tour guides, boatmen and fishermen

- All cetacean tour guides must hold a valid St Helena whale shark and cetacean tour operator's license after attending a course and becoming certified by ENRD;
- All vessels are to remain a minimum of 100m distance away from the whale/s and should not approach the whale/s from the front or rear;
- If a vessel comes closer than 100m to the whale, it must place its motor in neutral or move the vessel, at less than 5 knots, away from the whale until the vessel is outside the contact

zone. At the skippers discretion and with due regard to the safety of the vessel it is advisable to switch off the vessel engine whilst viewing whales;

- Only two vessels are allowed within the proximity of the cetaceans and should keep a distance of 60m away from each other;
- A full briefing must be given prior to departing the wharf. This is to include all safety aspects of the trip;
- A vessel must not cause a whale to alter its direction or speed of travel;
- A vessel must not disperse a group of whales;
- Touching, riding or feeding dolphins or whales is strictly prohibited;
- Snorkelling with whales is prohibited unless for scientific purposes and in receipt of a valid research permit;
- Tour vessels must avoid commercial fishing vessels whilst they are fishing; and
- When a whale is with a calf, a vessel is only to approach so that the mother is always between the calf and the vessel.

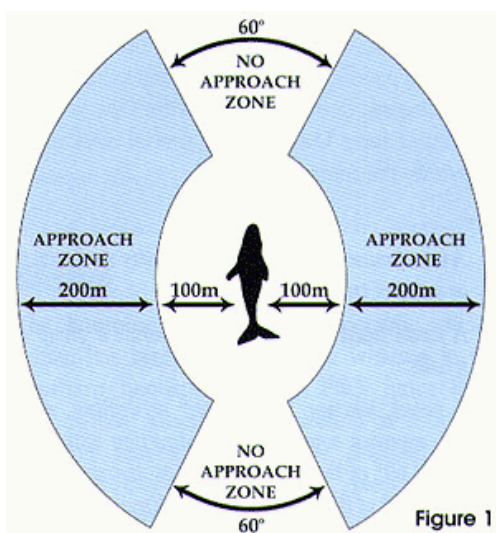


Figure 1: Approach zone for whales

POLICY DISTRIBUTION

This policy and its procedures are to be issued to all local marine tour operators, recreational boat owners and fisherman. This policy and procedures will also be available online on the SHG website ([link](#)) or on request from ENRD or at the tourism office or at Customs and Immigration or at the Customer Service Centre.

RESPONSIBILITY

THE TOUR OPERATOR/ VESSEL OWNER OR OPERATOR IS:

- Responsible for ensuring the welfare of the whale shark/s, cetacean/s and/or devil ray/s;
- Responsible for the safety of the snorkelers interacting with the whale shark/s, cetacean/s or devil ray/s;
- Responsible for ensuring that all personnel adhere to interaction guidelines;
- Responsible for ensuring that all personal are fully briefed before interacting with whale sharks or cetaceans;
- Responsible for mandatory recording of whale shark information (number of whale sharks, number of people in the water, time spent in the water, time in, time out, location, date); and
- Is encouraged to collect data to support marine conservation of whale sharks both photographic (left side flank, right side flank) and information (sex of whale shark, approximate size). Also to report marine sightings of whale sharks, cetaceans, devil rays and turtles in the log books provided (location, date, species, and aggregation size).

ENRD (MARINE SECTION):

- Must on request provide whale shark and cetacean interaction training to support accreditation for tour operators;
- Must on request provide briefing guidelines on whale shark and cetacean interaction;
- Will collate scientific, sighting, anecdotal and photographic data and report this information as part of annual environmental reporting;
- Will once per year provide a training session for local recreational boat owners who may wish to interact with whale sharks or cetaceans;
- Will monitor the accredited tour operators to ensure they are correctly following the interaction guidelines; and
- Will provide leaflets and other information for visiting vessels, tour operators and recreational vessels.

CONTACT

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REFERENCES

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