



bottlenose dolphins  
(photo: Randy Wells, Chicago Zoological Society)

Marine mammals have sensitive hearing and many species communicate by vocalizing underwater.

- Underwater sound produced by a vessel's engines and propellers can disturb these animals.

Cautiously move away from the animals if you observe any of the following behaviors:

- Rapid changes in direction or swimming speed.
- Erratic swimming patterns.
- Escape tactics such as prolonged diving, underwater exhalation, underwater course changes, or rapid swimming at the surface.
- Tail slapping or lateral tail swishing at the surface.
- Female attempting to shield a calf with her body or by her movements.

Even if approached by a marine mammal or sea turtle.

- Do not touch or swim with the animals.

Never feed or attempt to feed marine mammals or sea turtles.

- It can alter their natural behavior, make them dependent on handouts, and can be harmful to their health.
- Marine mammals, like all wild animals, may bite and inflict injuries to people who try to feed them.

*Note: NMFS regulations at 50 CFR § 216.3 strictly prohibit feeding or attempting to feed a marine mammal in the wild.*

## Marine Mammals and the Law

The Marine Mammal Protection Act (MMPA) prohibits the take of all marine mammal species in U.S. waters. **Take** is defined as “to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal.”

**Harassment** is defined in the MMPA as “any act of pursuit, torment, or annoyance which has the potential to injure a marine mammal or marine mammal stock in the wild; or has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering.” Some exceptions are made for specifically authorized scientific research.

**Take** is further defined by regulation to include feeding or attempting to feed a marine mammal in the wild.

The Endangered Species Act (ESA) provides additional protection to species of marine mammals listed as endangered or threatened. The ESA prohibits the take of species listed as endangered or threatened. The definition of take is the same under the ESA as under the MMPA, except that the ESA adds the terms harm, pursue, shoot, wound, trap and collect.



The maximum fine for violating the MMPA is \$20,000 and one year in jail. The maximum fine for violating the ESA is \$50,000 and one year in jail.



clymene dolphin (photo: Keith Mullin, NMFS)

For more information please call:

Protected Resources Division  
Southeast Regional Office  
National Marine Fisheries Service  
263 13th Avenue S.  
St. Petersburg, FL 33701  
(727) 824-5312

<http://sero.nmfs.noaa.gov/pr/protres.htm>

Southeast Enforcement Division  
Southeast Regional Office  
National Marine Fisheries Service  
263 13th Avenue S.  
St. Petersburg, FL 33701  
(727) 824-5344

<http://www.nmfs.noaa.gov/ole/Southeast/>

**To report harassment or other violations of the MMPA or ESA, please call the Toll free Enforcement Hotline: 1-800-853-1964**

For stranded, injured or abandoned marine mammals, call the NMFS stranding hotline:  
(305) 862-2850

For information on manatees or sea turtles:

U.S. Fish and Wildlife Service  
6620 Southpoint Drive S., Ste. 310  
Jacksonville, FL 32216-0912  
(904) 232-2580

<http://www.fws.gov/northflorida/>

## NMFS Southeast Region Marine Mammal and Sea Turtle Viewing Guidelines



bottlenose dolphins (photo: Yugi Okino)

### Protected Resources Management Division

green sea turtle (photo: Bruce Mundy, NMFS)



*These guidelines are intended to inform the public about protection of marine wildlife. They are not a replacement for Federal legal requirements.*

## Marine Mammal and Sea Turtle Viewing “Code of Conduct”

1. Remain a respectful distance from marine mammals and sea turtles. The minimum recommended distances are:

dolphins, porpoises, seals = 50 yards

sea turtles = 50 yards

whales = 100 yards\*

*\* Federal law prohibits all approaches to right whales within 500 yards.*

2. Time spent observing marine mammals and sea turtles should be limited to 1/2 hour.

3. Marine mammals and sea turtles should not be encircled or trapped between watercraft, or watercraft and shore.

4. If approached by a marine mammal or sea turtle, put your watercraft’s engine in neutral and allow the animal to pass. Any vessel movement should be from the rear of the animal.\*

*\* Pursuit of marine mammals and sea turtles is prohibited by Federal law.*

5. Never feed or attempt to feed marine mammals or sea turtles.\*

*\* Federal law prohibits feeding or attempting to feed marine mammals.*



### Limit your viewing time.

- Prolonged exposure to one or more vessels increases the likelihood that marine mammals will be disturbed.
- Viewing periods of greater than ½ hour should be undertaken only if you are absolutely sure that you are not causing disturbance or any changes in behavior.
- Since individual animals’ reactions will vary, carefully observe all animals and leave the vicinity if you see signs of disturbance.
- Your vessel may not be the only vessel in the day that approaches the same animal(s); please be aware of cumulative impacts.

### Travel in a predictable manner.

- Marine mammals appear to be less disturbed by vessels that are traveling in a predictable manner.
- The departure from a viewing area has as much potential to disturb animals as the approach.
- If a marine mammal or sea turtle approaches, put your engine in neutral and allow the animal to pass.
- Never pursue or follow marine wildlife.
- Never attempt to herd, chase, or separate groups of marine mammals or females from their young.
- Avoid excessive speed or sudden changes in speed or direction in the vicinity of animals.

If you need to move around marine wildlife, do so from behind (i.e., never approach head-on).

- Vessels that wish to position themselves so that the animals would pass them, should do so in a manner that stays fully clear of the animal’s path.

Be aware that marine mammals may surface in unpredictable locations.

- Breaching and flipper slapping whales may endanger people and/or vessels.



### Be on the look-out for seals.

- As their populations expand, seals are being found in southeastern states with increasing regularity, especially in North Carolina.
- Viewing or approaching seals hauled out on land should be done without the animal’s awareness of your presence.
- Avoid detection by sight, smell, or sound (e.g., by staying hidden behind natural cover and approaching viewing areas quietly by avoiding conversation and noisy movements).
- Pups are often left alone when the mother is feeding.

*They are not abandoned and should be left alone.*

*To reduce the potential for wildlife viewing that inadvertently harms marine mammals or violates Federal law, the National Marine Fisheries Service (NMFS) provides the following information and guidelines for viewing whales, dolphins, seals, and sea turtles in the NMFS Southeast Region (from North Carolina to Texas, Puerto Rico and the U.S. Virgin Islands).*

*Close approaches by humans to marine mammals may cause them to lose their natural wariness and become aggressive towards people. They are also vulnerable to injury or death from entanglement in fishing gear or boat strikes. NMFS strongly encourages people to follow the guidelines presented here while spending time on or near the water.*

*Please review these guidelines and make the “Code of Conduct” personal practice. Bring binoculars along on a viewing excursion to assure a good view from the recommended viewing distances. Together we can assure marine mammal viewing will be as rewarding as it is today for many generations to come.*

Marine mammals are more likely to be disturbed when more than one boat is near them.

- Avoid approaching the animals when another vessel is near.
- Always leave marine mammals an “escape route.”
- When several vessels are in an area, communication between operators will help ensure that you do not cause disturbance.

