



Fish and Wildlife Commission Presentation Summary Sheet

Meeting date:

1/29/2021

Agenda item:

8. Commercial Whale Watching Position Statement—Briefing, Decision

Presenter(s):

Nate Pamplin, Director of Budget and Government Affairs

Julie Watson, PhD, Killer Whale Policy Lead

Background summary:

In spring 2019, the Washington Legislature passed Senate Bill 5577: *a bill concerning the protection of Southern Resident Orca Whales from vessels*, which developed a license for commercial whale watching and directed the Washington Department of Fish and Wildlife (WDFW) to administer the licensing program and develop rules for commercial viewing of Southern Resident Killer Whales (SRKW). (See RCW 77.65.615 and RCW 77.65.620)

The purpose of creating rules for commercial whale watching of SRKW is to reduce the impacts of vessel noise and disturbance on the whales' ability to forage, rest, and socialize while enabling sustainable whale watching. The Commission adopted a comprehensive rule package on December 18, 2020.

Leading up to rule adoption, the Commission held a special meeting on December 15 where they also discussed adopting a policy statement that: 1) offered context about how this rule package fits within broader efforts to recover Southern Resident killer whales; 2) summarize best practices that were not being included in the rule package; and 3) consider other voluntary measures for the general public and recreational boaters. The policy statement was scheduled for consideration on December 18 meeting, but so were a lot of other agenda items, and this item was postponed until January 2021. Further, there was interest expressed by Commissioners on December 18 that they would like to have more time to review the draft document.

This agenda item will include a short staff orientation of the edits received over the past month on the draft document, followed by time set-aside for Commission deliberation and consideration of adopting the statement.

Staff recommendation:

N/A.

Policy issue(s) and expected outcome:

This is for Commission discussion and possible adoption of a position statement. The statement provides direction to staff to continue to promote/expand voluntary vessel measures and lists items to consider or explore as part of a future evaluation of the rule package adopted in December 2020.

Fiscal impacts of agency implementation:

N/A

Public involvement process used and what you learned:

N/A

Action requested and/or proposed next steps:

The position statement would be added to other FWC policy statements located here: <https://wdfw.wa.gov/about/commission/policies>. Further, the Department would reach out to recreational boater organizations and the commercial whale watching industry to promote the additional voluntary measures articulated in the policy statement.

Draft motion language:

A motion regarding the policy statement is:

- I move to approve the Washington Fish and Wildlife Commission Policy Statement “Washington Fish and Wildlife Commission Policy Statement on the adoption of commercial whale watching rules to protect Southern Resident killer whales” as presented by staff.

Post decision communications plan:

The position statement would be added to other FWC policy statements located here: <https://wdfw.wa.gov/about/commission/policies>. Further, the Department would reach out to recreational boaters and commercial whale watching industry to promote the additional voluntary measures articulated in the policy statement.