Proposal Code Name	Samwell	Sansa	Brienne	Podrick	Jon	Anya	Gendry	Tormund	Bronn	Davos	Tyrion
Does your proposal include rules for commercial whale	Yes. A >0 vessel limit with vessels caught moving from point to point for transit purposes asserted	Proposed Commercial Whale Watch Vessel License Conditions: A. Closed some - the following COVW critical foreston areas will be closed.	My proposal includes limits on numbers of boats and amount of time upont with a aroun of Southern Basidest occur (amount still	No motorized commercial whale-watching boats in the vicinity of SRXWs (within 1 km/0.62 miles) until indicators of population status imposses and frience priesco-based safestine management. (BCW 22.65.620 1 kg) 2.85 are seen.	Yes RCW 77.65.620 1 (a): Require CWW license holders to comply with the requirement that there are zero license holders viewing SRXW until measures indicate SRXW population health and numbers are recovering at	I propose a limit of no more than 10 licensed vessels allower to view a group of CRVMs at one time. A group of CRVMs	d I propose that no commercial whale-watching vessels (excepting kayaks) be allowed in the vicinity of the SRKWs, until certain indicators of improvements in SRWS conservation status are documented by DRW. This rule can be	Yes. RCW 77.65.6201 (a): Require license holders to comply temporarily four adaptive	I propose no new rules for commercial whale watching linears holders other than the reminement that they obtain	License holders are allotted an aroust limited violations clause	A. I propose a limited licensing program which would limit licensing
watching license-holders for the viewing of SRXXV7 Please describe, and differentiate rules specific to motorized vs. keyak	from this count. This limit would only be around	to commercial whale watching activities until such time that it is	need to be defined). This is just for vessels. Limits on numbers of	Annotation conversel who would be planned by the control (100) which is the CD Collect and students and control an	which time adaptive management measures are triggered. Revisit progress at three years, five years, and seven	would be defined as separated by at least 1 km, thus boats	implemented using provisions piloted in the 2019 agreement between Transport Canada and the PWWA and	management), with the requirement that there are	a commercial whale watching license. At this time, due to	much like direct takes on a	CWW for the duration of 2008, 2029, and 2020. B. I propose that
describe, and differentiate rules	SRIW.	determined by WDFW that whale watch activities are having no impact o SPXW foraging success. Commercial whale watch vessels are prohibited	kayaks with Southern Residents could also be discussed but would be a separate conversation as they are typically viewing	maximum of 1 motorized boat in the vicinity (within 1 km/0.62 miles). They must notify other whale-watch operators so that they avoid the area and focus on viewing other species. 3. Under adaptive management (see below), when	year. RCW 77.65.620 1 (b): License holders are not allowed to operate in the vicinity of the known location of SRCW during extremely low visibility conditions (e.g., dawn,dusk, fog). Vicinity should be defined as .5	separated by 1 km would be determined as viewing different groups of SRKWs. In addition, I propose establishing a	independent operators, barring operators from marketing or planning trips to watch on SRRW, and requiring that boats refrain from following SRRW and continue transiting when the whales are incidentally seen. Under this	zero license holders viewing SRXW. Vessels could still transit to a destination (other than the location	the lack of evaluation of the most recently imposed rules that resulted from the Orca Task Force, and the possibility	research permit. Each Icense holder will receive X number of	viewing of SRKW by CWW be limited to 1 hour within 400 yards.
specific to motorized vs. keyak operators:			Southern Residents opportunistically and can't easily change	science-based indicators of population status improve, indicating increased resilience to stressors such as wessel noise	nautical miles, similar to the 7 knot speed limit within .5 nautical mile. RCW 77.65.620 1 (c): [duration spent	foraging zone on the west side of San Juan Island that	proposal, kayak operators and operators of motorized watercraft would be treated differently, given the lesser	of SRXW) in the vicinity of SRXW ("vicinity" defined	that further restrictions would be harmful both economically	"warnings" for violating the rules	
		reasons or to access port facilities or docks. 1. From April 1 to September 30, the west side of San Juan Island, extending 1000 yards offshore, from Mitchell Bay to Cattle Point is closed. 2. Other	whater.	hours of 9 am and 5 pm and under appropriate conditions for good visibility. If the indicators of population status	operate] N/A until adaptive management triggers are met. Permanently require that license holders'	Point. License holders will not enter the foraging zone when	commercial kayak operators are as follows. (1) Off the west coast of San Juan Island, and in any other coastal	consistent with RCW 77.15.760 (1) (e)( as long as	Resident killer whales, further restrictions should not be	they exceed this number then their	
		offshore, from Mitchell Bay to Cattle Point is closed. 2. Other areas/times may be closed to whale watching through public notice by		improve to a greater extent, the number of motorized commercial whale-watching boats may increase to more than 2 (based on science and thresholds for disturbance). 4. When a license holder encounters SRXW, they are required to	I motorized vessel has some type of AIS on board. For commercial kayak license holders, require one AIS unit per kayak group). AIS must be turned on at all times when out on the water. This will enable effective monitoring	SRXWs are present.	area with relatively high current or historic occurrence of SRXWs, kayakers should be required to stay within a 20 meter corridor along the shore, except when they are transiting off island. This rule would complement the	there is compliance with current distance requirements and vessel speeds.	created.	license is revoked for the rest of the year. The authority and	
		WDFW: B.Commercial whale watch restrictions in inland waters of Washington in 2021 and 2022. I Commercial whale watch wasels are		immediately notify WDFW and Soundwatch of their location. Success holders with motorized vessels of all sizes are required to use automatic identification System (8 or 9) in order to footer effective monitories and compliance.	and compliance with CWW license holder rules and current vessel distance regulations. It would also be in		provisions adopted by Canada, for the 2020 season, for kayakers paddling within designed sanctuary areas for SERW 17 Kesakers should be remained to remain 200,000 meters away from all killer wholes unless they can			enforcement of this clause would be handed down to WDDW on the	
		prohibited from viewing SRKW within 1000 yards of a SRKW unless a		6.Commercial keyak operators launching tours from the west side of San Juan Island may not launch while SRKWs are	outfits operate in a different manner and intent but still have the ability and opportunity to view SRKW without		demonstrate the capacity to distinguish among killer whale ecotypes, whereupon they would receive a special			water enforcement, in that if they	
		consisting, when relative leaving on a share work in a closer, a consistent way as a consequence of the consequence of the con		based viewing and must wait until the SRXWs are 1 km away and traveling away from the kayakers' location before	purposentity seeking them dut, the LWW scenaring program needs to renect that, it would make sense to copiny the standards and best practices from the Keyak Education and Leadership Program's "code of conduct such as		allowance would be provisional on further discussion of whether distinguishing ecotypes is reasonably			"warrings" for violating the rules outlined within the license and if they exceed this number then their license is nevoled for the rest of the year. The authority and enforcement of this clause would be handed down to WODW on-the- water enforcement, in that if they witness or record a violation by a license holder lively will record the nace sayn information and if this screeds the allowed running the license holder license their license holder license their license holder they will record the license holder they will record the license holder they will record the license holder they will record the license holder to be the license holder to holder license their license holder to holder license their holder license holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder holder	
		be within 1000 yards of SRKW. C.An automatic identification system (AIS) must be fitted aboard all commercial whale watch vessels. The AIS		cased verwing and must wait until the secrets are 1 ms away most present and present secretary controlled and present secretary cont	when launching from shore or from another vessel, rafting up when whales approach within 300 yards of shore, and move in as close to shore as novelble.		achievable at distance from the height of a typical kayaker.) (3) in keeping with the unplanned nature of whale- watching from knowless knowless should not be allineard to market trios for SEVM visualing.			necessary information and if this average the allotted number that	
		(AIS) must be fitted aboard all commercial whale watch vessels. The AIS must be capable of providing information about the vessel (including the vessel's identity, type, position, course, speed, and navigational status) to		(ideally in kelp beds), secure themselves, raft up and stop padding until the whales have passed by. This would codify a law standard from the K.E.L.P. Code of Conduct (updated from 200 to 300 wards to reflect the latest vesual)						license holder looses their privileges granted by the license.	
		state and federal authorities automatically. Vessels fitted with AIS shall		regulations).						privileges granted by the license.	
		maintain the AlS in operation at all times.									
How is this /CWW viewing of	I don't have the science to determine what the	Cincing CBYW critical foresting souss will aphance CBYW's shillin to detect	It is designed to reduce accord received by Southern Busidant	These rules would sook every day which is necessary to sedure the daily imparts on SEVE and they would netwo	Zern CWW signing of SWW would have a completive handly for SWW by naturing the dolly and completive	Currently there is no rule limiting the number of professions	This assessed retir, asses the basis assessables that we must element disturbance of MSSA to the amount assessing asset as a second as a second asset as a second as a secon	Zenn CWW house watching SWW would aliminate	The renoval of imposing to make matricitizes on top of the	This will also "teath" to the	Dromosal A will reduce the overall number of CWW vessels by limiting
How is this (CWW viewing of SRKW) respect of your proposal designed to reduce the daily and currelative impacts on SRKW? Where possible, cite	acceptable number would be. I will say that if 0 was an acceptable number we wouldn't be engaged in this process.	and capture salmon. Although a precautionary approach would call for re	orcas, maximize foraging ability, and decrease stress levels,	There was east depty our right, which is excessery to side or the told years for MER, will they want in their cases are side and disclosed from their generate. Given these that the exclusion of their interest i	impacts and is based on the precautionary principle approach to achieve conservation and recovery of a	Currently there is no rule limiting the number of professional whale watching vessels viewing SROWs and no rule establishing areas where professional vessels will not view SROWs. Both of these may reduce impacts beyond the	The property of the property o	the daily and cumulative impacts on SRKW from	distance and speed regulations that already exist would	licensing program and the	the licensed vessels to those that are still in business in 2020 and will
and cumulative impacts on	engaged in this process.	view SRKW only when Soundwatch vessels are present will reduce vessel	best available science was conducted before current regulations	on NRKWI (Williams, R. and Ashe, E., 2007. Killer whale evasive tactics vary with boat number. Journal of Zoology,	charter), allow for long-term sustainability and recovery of SRXW (in charter), is consistent with the best	SRXWs. Both of these may reduce impacts beyond the	(Person et al. 2017). This conclusion is founded an both physical according an abdressi absentation of an a behavior in the presence of small books.  First, according modeling demandisates that small vessels at 800 meters and begand use made the exhabitation signals that the 1900s, use for	assuming compliance. The BAS is definitive that	ensuring the presence of responsible, trained professionals	Already we have seen guidelines	forward. 2020 will see a marked reduction in CWW businesses due
science or data that supports		impacts while allowing for continued data collection (to foster adaptive management). Closing critical SRKW foraging areas in Puget Sound will	went into effect. There are some older studies that could provide a starting point. Williams et al 2009, which used data	272(6).) We unfortunately can't limit the number of recreational boats through these rules but we can reduce the total number by reducing the number of commercial whale-watching vessels. The Soundwatch 2019 report indicates that	I available science (as vetted through the science panel and in legislation), will apply adaptive management using the current and best available science (in legislation), and is implementable, enforceable, manageable for	current new rules of 300 yards and 7 knot slow speed zones.	faraging, effectively reducing their ability to hard and locate prey, in a 2008 shall, Holl combined the associal output of three whole-working vessels at ligitud or abing speeds (i.e., 12 or mare lends), as reported by previous remarch in Haro Stock, and substituted the same busis.	vessel acoustics and presence adversely impact SRKW socializing and foraging effectiveness. This	in the vicinity of whales. Soundwatch data show that when professional whale watch vessels are present, there are less	put forward, but have data to show those guideline are not always	to Covid-19 impacts. Additionally, it must be understood that whale watching is not like commercial fishing. CWW often have choices on
your idea.		have indirect effect of encouraging other vessels to avoid areas necessar	from 2003 to 2005 and determined that number and proximity of	ecotour vessels are more than half of the boats seen accompanying the whales (Figure 24 and 25), and most of the	license holders and WDFW (in charter). Zero CWW viewing of SRXW enable recovery efforts and monitoring and enforcement to address a lost of "uncertainties" that have been relied such as note before more and more		specially as an inter-section of the control of the	proposal is based on the precautionary principle	recreational boat infractions, creating, according to experts	followed. Currently, there is a	where they can go and actively work towards having the fewest
		restrict other vessels from entering the critical areas. Requiring AIS on all	behaviors in SRKW. Ayres et al 2012 found that when both boat	commitment by the commercial whale-watching industry as conservation leaders could also raise awareness among	dispersed in smaller groups or individually, unanticipated orca behavior, low visibility conditions on the water,		(vid. 2021), made it clear that they would persist at vessel distances well beyond 820 networ. Held's findings are broadly smolered with more mineral empirical recognition of small vessel ratios. For shade supported by the first of Yannisane's IDOD Programs, Madelshaleri at 2020.	population and given that there is no BAS that	Balcomb of Center for Whale Research, a quieter and safer	consequences, and reporting for	licenses overall will provide a mechanism that will reduce the
		commercial whale watch vessels relative to locations of SRKW	their lowest but that when prey is limited, vessels could	noise: the presence of vessels not under motor power, including kayaks, changes orca behavior, increasing the	future CWW SRKW viewing regulations, such as number of vessels, duration, areas, time of day. Regarding BAS,		measured source livers of 20 commencial whole working basis and alter until vesich and Board that basis operating at cooking speech (places 15 lends) produce median source levers of about 155 to 362 off or 1 y/N2 within the wholes' exhalocation band. Notably, vesich/scoring at slow	noise would equal no impact to SRKW, the	watching vessels were to be absent or further restricted. It	violations against State laws	and will lessen the number of vessels engaged in viewing SRKW on
		(determined by sonabuoys, researchers and shore-based sighting reports) and provide necessary 'tool' for enforcement of distance provisions and	compound nutritional stress. And Houghton et al 2015 found the numbers of vessels present at various speeds was not a factor in	Relihood that orcas will switch to traveling and spend less time foraging (Williams, Ashe, Sandilands, and Lusseau, 2015). (NRKWs used for some studies because "opportunities to view SRKWs in the absence of boats, let alone to	It is well documented that resident killer whales respond to vessels engaged in close proximity with short – term behavioral changes including faster swimming speeds, less directed swimming paths, less time foraging,		speeds of less than 7 leasts—white generally quarter—diff problems median source levels ranging from about 100 dB to 100 dB to 1 pPo2 within the same frequencies. These levels of sound greatly exceeding out and lens in the Todds Too Josephore with Basanti et al. 2012	precautionary principle approach to the limitations included in this rulemaking should err on the side of	is the presence of whale watchers and not the absence of whale watchers that lessen daily and cumulative effects.	WDFW on-the-water enforcement has shown effective, but yet the	any given day. Proposal B will help maintain the already low average number (approximately 2) of CWW vessels with SRKW and will help
		closed areas. Much/most of the scientific literature in recent years on	sound levels received by the whales and that vessel speed was	manipulate boat traffic near focal animals under controlled conditions, are rare.") While increased prey is most	additional energetic costs, increased call amplitude and call length to communicate and forage, and increased		properting amonger throbust are sound promour invest of 60-96 all, as brogameire, from about 15 to 2004 in many damandy stori). Over these measurements, some until boots—men over, moving at 7 boots—would be bond to mak area recludes alon signals at distances well begund 600	benefit to SRKW. The proposal for no CWW		data still shows violations taking	prevent the number of vessels engaged in viewing SRKW from
		disturbances that negatively affect \$5000 foraging behavior.	examined under the lens of current regulations and changes in	decline (Lacy et al. 2017). Regarding AlS: Secause the largest CWW vessels are already required by US law to carry Al	presentation to the Advisory committee on 2/27/2020.		money and requirement approximate or the second property of the contract of the second process. As the property of the second process of the second proces	time that there is BAS that definitively defines		not present.	intering.
			best practices by the whale watch industry in order to determine what additional changes, if any, would produce the desired	A, it is already possible for WDFW to find/monitor their location by AS. However, many of the smaller commercial whale-watching vessels are not required to use AIS, and when they are outside Haro Strait on the eastern side of the			reduced finaging time and increased biseding time in 1992(A) (consequent of 2009). A smaller but cindur effect was observed where buds occurred before mod 2000 enters of the wholes, squared in that increasing time provided enterwhere buds served some distance beyond 400.	to SRKW or until SRKW recovery indicators			
			effect.	whale-watching vessels are not required to use AIS, and when they are outside Haro Strait on the eastern side of the archipelage believe apparently the waters can be calmer and provide a most stable risk for passengers is installer washed, their bostion are netableship is known which maked in most efficient to monitor and enforce the rules for license-holders that will be designed to reduce daily and cumulative impacts.			meters. (As the authors rated, the study was not able to establish distributed agriduance for these greater distances of 800 to 1000 meters because the near-constant persons of busis within 1000 meters left few "norboat" data points for comparative analysis. The point estimates, however,	determine that potential CWW viewing impacts would not adversely affect recovery easis.			
				license-holders that will be designed to reduce daily and cumulative impacts.			sigged fininging effects of basis to fifts at 400-2000 meters.   Notably, the dualy does not allow us to disentangle nate from wood presence in understanding the sauce of their adverse effects. But analogous behavioral shifts have been demandrated in Northern Resident filler wholes in				
			1				we green a present of woods and, indired, in many other motive and terreduct openins expend to human debutance (Milliams et al. 2006). The companies of such behaviors of the control to every, particularly in facel derived populations (e.g., Williams et al. 2006; Lacy et al. 2017). This is when the hard probable returned of the officerous design of the information of the control and the control of the control		1		
			1				what the heal available science lefts us. Of course, the information we have it lemind, and it in virtually every environmental devision we face, but any recommendation we make much be producted first and foremost on the assertation science for the species, and the dire small law of the association researched the devision of the conduction of the conducted the devision of the devis		1		
							power party was represent		1		
									1		
How might your proposal for	I would think a reasonable vessel limit number	Commercial whale watch operators have stated that SRKW viewing has	The goal is to not impact the economic viability of license	I support a sustainable whale-watching industry, whale-watching and the education that goes with those experiences	It is difficult to quantify the exact economic impact or viability of this proposal until PWWA discloses annual	This proposal should not impact the economic viability of license holders.	No evidence has been presented that temporarily setting vessel numbers in the vicinity of SRKWs to zero will	This question cannot be answered given that this	The proposal of not implementing additional restrictions for	This rule could increase the cost of	Limiting licenses to those operators that are already engaged in
CWW viewing of SRKW impact the economic viability of license	I would think a reasonable vessel limit number with the boats working together to cycle through (as i understand they already do) would have	been a very small part of their whale watch operations in necest years. Thus, these restrictions should have minimal or no economic invested.	holders by allowing them to continue viewing Southern Resident onces and incorporating some regulations that they are allowed.	can increase public support for conservation and is important to our economy. Other, non-endangered species are commonly seen and provide solid (and excitingly leveling opportunities to younger manning from the common opportunities).	economic data for the advisory committee to eview and until the SBES is completed by WDFW. It would be beneficial to see what the annual economic data over the past 10 years related to see what the annual economic data	license holders.	significantly impact the economic viability of license holders. The available information indicates that SRWs constituted a small amount of commercial whale-watching effort to white 1993 is frue viewed than 1994.	committee has not been provided with CWW economic data. If zero CWW yearing of CBV**	experienced whale watch operators would prevent further economic harm to license holders beyond the immure of the	the license or doing business by the holder if they loose their lineau	CWW will not have a negative effect on license holders. Limiting the time spent viewing SRKW to 1 hour is a reasonable amount of time.
holders? How did you consider the potential economic impact in	minimal negative economic impact.	especially since the occurrence of humpback whales and transient killer whales land well-bills for watching them.	doing voluntarily.	recently, operators have already been focusing on species other than the SRXWs when possible, and that other species are much more repealed and provide mean visualized approximate.	s etc., and compare it to the number days SRXW were in the Salish Sea. According to PWWA statements over the next fear warry the nearest are of time from some statements.		availability of other marine mammals (particularly the transient KWs) for viewing as well as diminishing presence of the SKRM: The industry has been substratefully affected.	would have an effect on the economic viability of	creation of the license itself which is critical, especially in liefs of the departation financial	but it highly increases the	for engaging and educating guests and would not negatively effect
your proposal?		in recent years.	1	should be doable in a way that has little to no economic impact on license holders. There is even an opportunity for	acknowledged that in 2019, "three of the companies on the advisory committee combined saw SRIW on 7.4%		be referred but here presented that temporarily entire years furnishen in the virially of ESGIN to zero with registrativity years for excensive shalling from belows. The resident information redisting the registrative of the present that the SMOV constituted a west amount of commercial whole-watching effects (roughly SSQI)s, function of the increased availability of their marine manning light rishing the strongest SSQI or viewing as well as destroining greatered of the SSQIV. The industry has been substratingly effected, however, by public concerns about the SSRIV and the statisticality of which watching with meeting on the penalty and public to the panit cagging risk 1.2 Told discusses in cernal or CRUAR statisticality of which watching with meeting on the penalty and public part 1.2 Told discusses in cernal or CRUAR statisticality of which watching with meeting or on the panit cagging risk 1.2 Told discusses in cernal or CRUAR statisticality of which watching with meeting or the penalty and the public part of the public public parts of the public public parts of the public public public parts of the public pu	WA, the historical CWW businesses' economic data		the holder is operating in a positive	
				multi-stakeholder collaboration to celebrate this commitment and give the industry great positive publicity to drive more demand. NOAA's 2017 review found that the 2011 regulations did not have any negative economic impacts on	of tours." (left Friedman, PWWK). This low number is most likely attributable to the 19 days SRW were in the Salish Sea that year. CWW operators will continue to view other marine mammals that are plentiful and healths		sales over the last one or two seasons. For this reason, it is very possible that a zero-vessel rule, if properly announced and publicly supported by the environmental community, could have a net economic benefit for the industry.	would correlate with data on SRKW presence in the inland waters of WA. It's also important to note		manner by the rules stipulated within the license, then there should be no negative economic	
				the whale watch industry and did not decrease willingness to pay for whale watching. The Earth Economics report	without SRKW present. According to a study from 2004 (Malcolm, 2004) that was cited in 2010 NGAA.		industry.	that the ESA does not consider economic viability	1	should be no negative economic	
				I segont a session and we confine places, when wenture part for education to get with their report to the confinence of	respect their vessels gave the whales. The number of whales, whale behavior, and learning also received higher						
				whales themselves but also for the local economy and the economic viability of license holders in the long rus.  Regarding AIS: AIS B units are far less expensive than AIS A. AIS B units cost only a few hundred dollars. Use of AIS B will	satisfaction than the distance from which whales were observed." Back in 2000, PWWA argued that vessel ill distance regulations (increase to 200 yards) would hurt the industry. A 2017 NOAA report looking at the						
				minimize the equipment cost to license-holders. Requiring the use of AlS also improves the range of tools available to enforcement, increases the efficiency of enforcement efforts, and lowers the potential fuel costs and fuel	effectiveness of the 2011 vessel distance regs as it pertains to impacts to the industry. It found that the number of commercial whale watch boats went up after 2010. Since 2011, the industry has experienced growth in the						
				consumption of monitoring and enforcement operations.	number of active companies, the total number of vessels in the fleet, and average ticket prices. Overall, IEc QDSE concludes that the regulations have not had any negative economic impacts on the whale watch industry						
					[2016] concludes that the regulations have not had any negative economic impacts on the whale watch industry and public's willingness to pay for whale watching has not decreased as a result of the 2011 regulations.						
challenges or drawbacks of your	Cooperation among the companies. I would say that if (and only if) there are more than the max number set forth in the vessel limit then a time limit might come into play.	We will need to ensure Soundwatch is collecting statistically reliable data that can be used to directly measure commercial and recreational vessel	One challenge is that we don't have current science to tell us how recent regulations and voluntary changes by the whale	There will need to be growtine communication/education of whole-watching passengers about the reasons for not seeking out \$400 kills in order to avoid any viergible wascrism or publicly. NOAN, 2000 14 fourth that participants on commercial what wascribing seeking places in properties or enspossible viewing and respect to the wholes, classify equiples in participants on commercial what was the properties or enspossible viewing and respect to the wholes, classified in the properties of the prope	A significant challenge for the advisory committee has been how to incorporate into the CWW licensing program mechanisms, if any, to help address and decrease the number of incidents by recreational boaters.	The only drawbacks would be that the general public is not aware of the benefits to SPKWs from professional vessels.	A potential drawback to the proposal is the lack of a sentinel contribution from whale-watching vessels. It is difficult to evaluate this drawback since sufficient analysis has not yet been done confirming or quantifying the	It has been a challenge to discuss this proposal without having it labeled as a "moratorium" and a	The drawback would be that some members of the public, unfamiliar with the stringent regulations that professional	This rule could lead to an influx of reports from the public on	The primary drawback to implementing any proposals is that we don't have an accurate picture of what impact the past regulation
challenges or drawbacks of your proposal in Question 37 How would you mitigate for them? Are there key questions the Science Panel could answer to	number set forth in the vessel limit then a time limit might come into play.	affects on SRKW. We should ask Science Panel to review Soundwatch's sampling approach/plans and data collection protocols to ensure data	watch industry have affected sound and stress levels received by Southern Resident orcas. We need to look at the best available	commercial whale-watching vessels place great importance on responsible viewing and respect to the whales; clearly explaining the rationale behind the commitment to focus on other species can increase trust and appreciation for the	We all recognize recreational boaters are a significant factor and problem that needs to be addressed. However, it is not in the puniew of this legislation or this advisory committee to ask CWW operators to	The public does not understand the benefits of the protective presence of professional whale watching vessels.	effect of commercial boat presence in reducing private-vessel violations. But any drawback can be mitigated by increasing on-water presence of DFW vessels, which has been shown, from five years of SoundWatch data, to	source of economic impact to the CWW operators What is important is for the CWWLP to be	whale watching operators already follow or with the positive sentinel role that whale watch operators serve,	violations against the license. This may increase reporting for	changes have had. I would ask the science panel to look at what positive impacts the many regulatory, and guideline, changes have
Science Panel could answer to		collected will be of value in assessing wessel impacts. The panel should also provide recommendations on research data that should be collected	science but incorporate new data and new information or it will be very difficult to determine the 'masic' number of boats or	industry's conservation efforts among guests and broader audiences. Regarding AIS: The requirement will add to the number of commercial whale-watching vessels visible to boaters who use AIS, and that could be used by recreational	enforce the vessel distance regulations or to educate recreational boaters. The CWW licensing program with an adaptive management framework is an opportunity show case and promote the collective commitment to	to alert recreational vessels, commercial shipping, military, and ferries. The public also does not widely understand the	substantially reduce violations by private boaters; and by investing in boater education.				positive impacts the many regulatory, and guideline, changes have had over the last 15 years.
validate or improve your proposal?		to evaluate the effectiveness of the proposed regulatory changes. The	time to limit to. We also need to incorporate the most recent	number of connected when weatherques with which to bestime who and AK, and the could have set by recreational bounds to be an 200 American and the control and the country of the country	the recovery of the endangered SRKW while promoting other wildlife and whale viewing opportunities. CWW operations could be seen as and exhausteful distribution of the marine emissionment and observe in the	education, conservation and citizen science value. This can be mitigated by multir education from WINDW and MCOs		culomaking resulting in a "han on whale watching"!	with WDGW's mubble supposed of professional whole watching	the public out there who might	
		challenging and require further discussion with kayak operators and	searching for salmon when they are here. So we will have to	benefits of improved data, efficient enforcement, and full compliance with rules to reduce impacts will outweigh any	recovery of the SRKW. Economic mitigation measures for the CWW industry and commercial kayak outfits to			Mitigations could include promotional materials that highlight all the wildlife and whales (other than SRXM) that can be seen from CWW vessels, and promotional materials about the CWW operators supporting SRXW recovery.	public and protecting whales.	and unnecessary reports to WDFW	
		enforcement officials.	define what a 'group' of whales actually means. Another challenge is whether or how to apply limits to kayaks. As	marginal increase in a magnet effect. In addition, if nearly all of the time there are zero motorized whale-watching vessels around the SRKWs per this proposal, ALS will not serve to attract more boaters to the SRKWs but may help	consider include grants for purchasing and installing AG systems and waive licensing fees for the first few years (TBO).			SRXW) that can be seen from CWW vessels, and promotional materials about the CWW operators		about license holders. I think this could be mitigated by affording the	
			mentioned earlier, they are watching whales opportunistically and are not mobile encueb to follow the same kinds of	detour them to other species. An alternative enforcement approach, instead of requiring AS, could be instituting an under over enforcement program if you get absorber a promoch), but some of the drawbacks are that it would be more				supporting SRXW recovery.		enforcement and investigation of this rule and reports to WOFW enforcement, as they already do,	
			regulations. The biggest challenge/drawback is the fact that we	costly for WDFW and would not have the additional benefit of providing data for monitoring and research purposes.						enforcement, as they already do,	
			regulations. The buggest channing prawbacks it for fact that we can only have this apply to commercial whale watch boats while the majority of incidents are caused by recreational boaters. So if we limit the commercial boats but the recreational boaters an							but not extend these "enforcement" privileges to other organizations, such as Soundwatch,	
			If we limit the commercial boats but the recreational boaters an still traveling too fast and too close to the whales, we will have							organizations, such as Soundwatch, PWWA, etc.	
			accomplished nothing. Therefore, I think it is our responsibility to include a recommendation that the state look at including								
			additional regulations for recreational boaters.								
What conditions would indicate					The adoptive management framework needs to be lived to the health and recovery of the SEESS population. A recovery good of 2.3% per year						
	I don't think this has ever been done on a meaningful scale: enforcement. I believe that the	The "re-occurrence" of SAKW in critical foraging areas during Chinook salmon migrations in Fuget Sound will be the key measure to evaluate effectiveness of the proposed license provisions.	The rules would need to be updated or revised if new science becomes available that indicates a revision is warranted.	Recommend tying partial and full relaxation of the rules related to # of boats in the vicinity (between 9am-Spm) to: 1)noise and disturbance thresholds recommended by the science panel as indicating no adverse impact to the SRXWs.	The depicts conceptions in the respect to the control is to be fast in the control of the Billia placeholds. A message paid of \$2 type are set of the set of the billia placeholds and the set of the billia placeholds. A message paid of \$2 type are set of the set of the billia placeholds and the set of the billia placeholds are part of the set of the set of the billia placeholds are part of the set of the	The evaluation of the rules should not be tied to population numbers, as it is widely agreed upon in the science	Conditions for revision of the rules should be based on the conservation status of the SRKW population. A number of possible indicators are available, the most prominent of which are the growth rate standard in the	The adaptive management of this rulemaking should include the BAS for identifying the	If new, peer-reviewed science became available that was conducted under the current viewing distance (300 yards)	The number (X) of allotted "violations" could change as the	Unfortunately, the overall health of the SRXW population relies on a lot more than the issues surrounding CWW vessels, which have been
updated/nevised (more, less atingent, or new rules all together)? How would you	meaningful scale: enforcement. I believe that the evolution of rules around SRKW has been without compliance, without full picture analysis, and without accountability. It isn't that the old rules	effectiveness of the proposed license provisions.		given population status and pay scallability 3 ladgetier management triggers recommended by the science panel 30 jump population status and pay scallability 3 ladgetier management triggers recommended by the science panel 30 jump ladgetier payment or achievement of the Crox Task Force's short-term (10-year) goal of 84 SEWN in the population status of the population status of the Crox Task Force's short-term (10-year) goal of 84 SEWN in the population status of the population status of th	whaterable to good schoon not years, (2) more her births, and (3) the survival of several bring young unio. With a CAW licensing program that initially requires bonne holders to comply with the empirement that there are now bonne holders viewing SECV, it allows for scientifically	community that prey abundance is the primary driver of SRKW population. Perhaps evaluating Soundwatch	NMFS Recovery Plan (2.2% per year for 28 years), which might be reduced to a shorter period than is necessary for full recovery and delixing, and the initial abundance target (84 orcss) established by the Washington State	parameters for whale watching that would have no impact on SRKW. The rule could then be adjusted	and speed regulations, and was convincing in showing that additional regulations would benefit SRXW, another	licensing program moves forward. Maybe in the first year there are an	largely mitigated already. The SRKW population is expected to continue its decline until the prey availability issue can be adequately
together)? How would you recommend changing them	without accountability. It isn't that the old rules didn't work it's that they were never enforced.			population if the population status declines again, the allowable number of commercial whale-watching sessels is full prescripted once more. These could be adjusted management blesses based on the One Task Force's other indicators	y supported adoptive management (riggers to be updated and revoked. It is much exister in update, IR, or ease stringent rules based on their success strengthening the besi stringent rules if they are not working. Purthermore, with the preciations number of reproductive individuals.	monitoring data and PWWA sentinel role documentation	Task Force. I would recommend seeking the advice of the science panel in evaluating these and other options. I	accordingly. SRXW population/health	collaborative panel could be assembled and the idea of additional or new resulations visited at that time. At the	increased number of allotted "violations" to holders to allow for	addressed. A period of continued growth in SRKW population could
based on changes in the system?E.g. lobs of new births in one year frimers. from X to Y	These new rules that we set forth will mean nothing without enforcement.			consistently well-nourished whales, more live births, and the survival of several thriving young orcas. These could also	in the WCM population, an immediate precisalismary principle approach for a federally blad endangered species is exential. Endaptive enangement lingger is neet then the following will be considered and must be based on BES cetted by the followin Funct. INCW TERESCOT (4).		form ("lots of new births in one year"), since high mortality occurs during the first two years of life, and since	should also be considered. The science panel	moment, no scientific publications have investigated the	changes in behavior and working	SRXW population does not necessarily mean vessel restrictions
one year triggers from X to Y	nothing without enforcement.			restricted once more. There could be adaptive management stiggers based on the Orca Task Forca's other indicators condisently well-counthed whales, more live birth, and the survival of several thinling young orcas. There could also an adaptive management tigger fiftee are two or orner years of abundant states, since noise and disturbance are less of a threat if salmon are plectful; any restrictions that are relaxed at that point would need to be put back in	Survive of CWV operators allowed invitors MSW at one time. Number would be dependent on EUDical determines the appropriate number of central or viewing parameters that would not cause any impacts to EUCII and experiently impact population-recovery parameters. In the control and cause any impacts to EUCII and experiently impact population-recovery pasts. • EUX 17.5 OF TO		multiple years or growth are necessary to degin recovering the population.	indicators.	slowdown), and very little have even looked at the	as time moves on these allotted	enacted in the last 15 years, unfortunately, does not seem to show a
				place it sulmon abundance drops again. Potential unintended impacts on other species should be monitored over time. If there are adverse impacts on other species due to increased pressure, in fature years DFW should create rules for license-holders related to viewing those other species.	SECV during from middly conditions, (e.g., dash, fug). Visinity is defined as 3 national major are not assumed into the historic litable in a SECV during from middly conditions, (e.g., dash, fug). Visinity is defined as 3 national middle, confar in the 7 hast speed limit which is national middle dependent on ESEI had delermined to appropriate number of worsh or interior accounts (the second limits).				regulations that were put in place in 2011 (200 yards). Science being cited currently that was conducted assuming	"violations" are reduced. Maybe if a holder looses their license one	positive corelation in SRKW population. It is unlikely that more restrictions will have a different outcome. The best indicator
				for license-holders related to viewing those other species.	Impacts in MEW and registrarly impact population recovery goals. — NCW 77 65 600 T(s) duration upon with MEW Condition and repairments would be dependent on MASS and determines the appropriate number of weather virtualing parameters that model on cause any		Conditions for revision of the date; should be load on the convergence states of the 2000 payabotics. A revisible for the control of the control of the control of the control of the 2000 payabotics. A revisible for the control of		vessels viewing from 100 yards with no speed restrictions, is unrepresentative of modern whale watching in Warhington	year the next their numbers are reduced further.	regarding CWW vessels specifically is the average number of CWW vessels viewing SRWI. This can be excite translant usine Countries.
					representation is sufficiently appealed and INIXIN determines the appropriate conduct of words in worsing garantees (NM model and issue any against feet (NM model and NM model) and propriet (NM model and issue any against feet (NM model) and propriet (NM model and issue any against feet (NM model) and propriet (NM mo				state.	The second second	data going forward.
					[in. Sufficer Back, Salmon Back, Calife Point to Eagle Point]. Allow viewing of SIXSS when they are traveling not when bioging, saxishing, enting. Sanits to consider include a number of books, a travel per several books on delance in rules (seekly monitored by ASE) and in a zero only.				1		
					errors or source, are for this later set of facets while bending than when they are travelling from 3 by 8 and the mod important thing is what the make solding before the facets among Hillians of al. 2005, 1909 years \$2.200, to active bending in the presence of facets than in their channel of the 1900 Learner, 1900, the model of the 1909 of the control of the 1909				1		
How would the rules you	Patrols and ticketing, system of points for	Defined area closures combined with vessel AlS should allow for whomas	Admittedly this proposal is difficult to enforce because it downst	Requiring the use of AIS will assist in measuring and maximizing compliance by improving the efficiency of WINCW's	Require that every license holders' motorized vessel has some tupe of ALS on board. For commercial knowle	These rules would be easy to enforce and existing OWWIL	As noted above, I recommend expanding the on-water presence of DFW enforcement vessely. Commission	To assist DRW with enforcement: Require AIR for	As no additional rules would be in place apart from Wha	WDFW Enforcement, It's all about	WDFW will be responsible for issuing licenses and can easily 44 the
How would the rules you propose in Question 3 be enforced? How do you propose we measure and marining	Patrols and ticketing, system of points for infractions similar to Drivers License points, were within a given year or multi year period a certain	enforcement of closed area provisions. Limiting the number of commercial whale watch vessels within 1000 wants of GNW	apply to everyone. If the whale watching industry is part of the process and they have buy-in they can help to execute.	Regularing the war of AG was send in measuring and measuring compliance by improving the efficiency of InDEM's in the InDEM's proving the InDEM's proving the InDEM's proving the InDEM's proving the InDEM's target is references effort them, and also belied AG data to see if other former beliefs are sublingly the data target the references of the InDEM's proving the InDEM's proving the InDEM's proving the InDEM's target to InDEM's proving the InDEM's proving the InDEM's proving the InDEM's proving the InDEM's target the InDEM's target the InDEM's proving the InDEM's proving the InDEM's target target the InDEM's target ta	Seguin the every Scene holder. Or noticed was the some payed of it is no base (it is commercial legal to the second secon	communications allow the professional vessels to cooperate to help self-enforce these maximum.	should be measured not only in terms of violations recorded by DFW and SoundWatch, but in time spent by commercial vessels within the vicinity of the SREW (ISS miles) are hour of SoundWatch (ISS).	all license holder's vessels (with an exception for layaks; either no AlS requirement or renul-	As no additional rules would be in place apart from the current state law regarding viewing distances and speed restrictions, WDRW afforce would be responsible for enforcement as they are currently, without the need for eaths resources.	compliance. We know from the data that commercial whole y	WODW will be responsible for issuing itemes and can easily do the research to determine which companies are eights to receive them. WOW can another when COW weets after the winding MOD WOW can smooth with COW weets after the winding MOD is there. Professional members of the PMWN have already docume ability to abidity by whiting pulleties. WOW would strayly be a check, not a gate lawger.
we measure and moximize compliance?	number of infractions could result in license	challenging if/when multiple commercial whale watch vessels approach	themselves. I look at Laguna San Ignacio in Baja as a model of	terms of their presence in the area. To enforce the use of AIS, there can be spot checks at docks and on water to unlidete that all Circ halors used by Engages.	Canadian CWW operators who are required to have AS. When adaptive management trigger is met to allow for CRYW clearing the following should be required to a		The state of the s	AlS per kayak group). Require license holders to	enforcement as they are currently, without the need for	vessels violate the regulations and	yards) of SRKW and determine the amount of time each CWW vessel
		restricted area.	they self-regulate. There is a member of the community who	Julia Julia de de de la maria della	location of their location and of the SRXW groups to SW and WDFW -WDFW, NOAA or Coast Guard			SRKW presence (in real time).		vessels, but they still do violated	ability to abide by similar guidelines. WDFW would simply be a check,
			moneors the numbers of boats and basically provides the red light and green light for new boats entering the area. But this		errorcement and/or SW patrols are present in the vicinityFly the whale warning flag.				1	tnese stipulations. The industry has been operating without any direct	not a gate keeper.
			could become challenging when you have several groups of whales spread out over long distances.							consequences to their guidelines for years which grains these	
									1	guidelines negligible.	
									1		
Does your proposal include	I recommend that those with an alwards	With A/S and Soundwatch vessel presence receivements them the children	I recommend that license holders we held to next in the desired	As alternative technologies for quieting small vessels are developed studied and socialishin explored.	ver. License holden must be U.S. based commercial whole watch country or commercial in the confinence of the confinence	One additional requirement for lineaus holders is to come		Yes. License holders should be required to	I recommend that, due to the retestorobic effects the	Yes.	Not at this time.
recommendations to WDFW regarding the arteriologists.	I recommend that those with an already established history of operation "2+ years be grarted permits." I also propose that permits cannot be deried to current license holden without cited infractions (the number of which also will need to be determined)"	With AIS and Soundwatch vessel presence requirements, there should be no need for reporting or observer requirements on Scense holders.	This could include a number of years of previous experience,	As alternative technologies for quieting small vessels are developed, studied, and available, explore discounted license fees for any operation that charge the technology on their vessels (e.g., echo sounder, propulsion systems) to make them quietes/prices with feedings and pulsar purpless in tester on the technologies to valuable impact on policy to the pulsar pulsar pulsar and the pulsar p	yes. Licens holden must be U.S. based commercial whole worth operator or commercial layer couff. White a Suphre management trigger is met to allow for 5000V viewing — Anquine CMW license holden to notify the location of their location and of the 300M groups to 500 and WOSV — Anquine WOSV, MARA or Cass Goad enforcement angle 500 groups to be present — Anquine locates holden to be downwind of 350M — Anquine Casses holden to 50 yet wheth last fifty the benefits to 500 fifty on their would bely vessed operators.	One additional requirement for license holders is to require licensed wessels to alert WOFW and Soundwatch to the presence of SBOWs when first identified, if WOFW enforcement and Soundwatch are not present. License holders can also work with WOFW and Soundwatch to help or provided to the company of the holders of the present in their arcomplish.		DFW and, if possible/appropriate, Soundwatch,	I recommend that, due to the catastrophic effects that COVID-19 has had on perfessional whale watching operators in Walkington, rearling estime Floracial haddling from which some companies may not necewify there for the commendic lands watching Ecross be supported until a trible with Ecross to support of the some for the commendic lands watching Ecross be supported until a trible to the program in Australia Advantage. At that time, WOMP can researched the program for the state time, WOMP can researched the program for the other than the state of the watching the file of the Walking and with the file is Walkington and determining and the state of the watching the file is Walkington and determining the watching the state of the watching the file is Walkington and determining the watching the state of the watching the file is Walkington and determining the watching the file is Walkington and determining the watching the file is Walkington and determining the watching the state of the watching the file is Walkington and determining the watching the watching the watching the state of the watching the file is Walkington and determining the watching t		
the CWWLP? (e.g.	granted permits. I also propose that permits cannot be denied to current license holders		captain training, naturalist training, continuing education, or any combination thereof. This benefits Southern Resident orcas by	tnem queser/more wildife-friendly and/or that participate in tests of new technologies to evaluate impact on noise. This would have broad benefits for marine wildife that is sensitive to noise, including SRKWs when in the vicinity.	notity the location of their location and of the SRKW groups to SW and WDFW. Require WDFW, NDAA or Coast Guard enforcement and/or SW patrols to be presentRequire license holders to be downwind of SRKW.	presence of SRXWs when first identified, if WDFW enforcement and Soundwatch are not present. License		with information on SRKW presence in real time. SRKW presence data would assist DPW	operators in Washington, creating extreme financial hardship from which some companies may not recover, the		
holders, including reporting,	without cited infractions (the number of which also will need to be determined)		having well trained, educated professionals on the water providing an educational experience for passengers on whole		Require license holders to fly the whale flag. The benefits to SRKW from these would help vessel operators, both CCW and recreational boats, comply with current vessel rees and future license holder order. En-	holders can also work with WDFW and Soundwatch to help prioritize presence in high traffic areas to best accomplish		enforcement efforts (e.g., recreational vessel violations). License holders should be required to	fees for the commercial whale watching license be suspended until at least November 30, 2022, the first data		
education/outreach, qualifications, etc.)What are			providing an educational experience for passengers on whale watching boats that will hopefully lead to public engagement in recovery efforts.		-Regular license holders to fly the whale flag. The benefits to SARW from these would help visual operators, both CCW and necessional boats, comply with current vessel regs and future license holder ufset. For education and cutrator, the CDW operators already provides this insulable service and opportunity to their clients with orbitosed naturalism. And since this not in within the framework of the RCW it should not be negulated in the futurement of the licensing roops to the light procussaged.	alerting and slowing other vessels in the area around SRKWs	-	have all captains and/or naturalists (at least one employee per vessel) demonstrate their ability	the law requires that the program be evaluated. At that time, WDPW can requarting the program flags, and the		
your recommendations? How would these recommendations					clients with onboard naturalists. And since this not in within the framework of the RCW it should not be nequired in the framework of the licensing program but highly encouraged.			differentiate SRKW from transient orcas.	of the whale watching fleet in Washington and determine		
enhance your proposal and benefit SRKW? Are there are								Education and outreach should not be required as that would be difficult to enforce and/or measure.	the law requires that the program be evakanted. At that time, WDPW can reexamine the program, fees, and the state of the whale watching fleet in Washington and determine appropriate action moving forward.		
drawbacks?Note: These recommendations alone do not											
Does your proposal include recommendation to WOHW of the CWWLPT (a.g. requisements for location holders, including exporting, education followers, education followers, your recommendations? How would these recommendations when the proposal and your recommendations? How would these recommendations enhance your personal and when the proposal and when the proposal and control of the proposal entering the proposal proposal control of the proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal proposal											
legislation.											
Does your proposal include any additional/broader	I feel that human powered vessels are technically incapable of 'whale watch' even under the hound	Wolf is should encourage/regard that NOAA reclude the choice area resolution in Nobel when worth publishes or registrate as that the resolution in Nobel worth publishes or registrate as that the resolution is apply to all when worthing that just connected which worth worthing.	As stated earlier, there will have to be some additional regulations that apply to recreational boaters if this pronount is	I recommend and would participate in collaborative publicity on new meaningful protections championed by commercial whale-watching industry, to boost positive publicity with support from the conservation community. Clear	License holders should be required to turn off echosounders when in the vicinity of SRKW except for emergency situations and for safety.	A broader proposal is to allow licensed professional vessels (not the general public) to view Bigg's killer whales from the		This is outside the rulemaking scope: To assist DPW with enforcement: Require license holders to		Broader recommendations. They will direct benefit the SRXWs	It is abundantly clear that without addressing recreational vessels and shipping traffic, any regulations implemented will have a limited
recommendations outside the acope of our rulemaking under	scope of "any marine mammal" I would move for there to be language that makes a clear distinction	closure will apply to all whale watching (not just commercial whale watch vessels).	to benefit the Southern Resident orcas.	continuous makes with the geology is consispational passed with applications for the consistent continuity, accura- ciation and consistent messages. This would find the includar precisive filling fi		(you the general public to view ligh; Viller whates from the global standard of 20 years under certain conditions (youther of wears), etc.). This would provide Increase productional whate which vessels an increase the oriest whates other than SEAN, which can help reduce price whates other than SEAN, which can help reduce price products on SEAN. In the reginal public time to help white other than SEAN, which can help reduce moving search public control of the search of the the great public cannot list the difference to be between excepts. Since the Kenned professional vessels can led searches. Search we search that the searches. Search we search that the searches. Search we search that the searches. Search we search that searches. The search is search to search that the search search that search search search that search search search that search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search search sea		notify DFW (and, if appropriate, Soundwatch) of SRXW presence (in real time).		because any other rule outlined in this program will be enforceable	and imparig trame, any regulations implemented will have a limited benefit in regards to potential vessel impacts.
RCW 77.65.6207What are your recommendations? How would	between human powered vessels in transit, and			economic impact of the new rules into a positive impact. It would be a win-win, with benefits to SRIW (by reducing		professional whale watch vessels an incentive to view				and punishable.	
these recommendations enhance your proposal and	that human powered vessels apply to this licensing			Drawbacks: We can't commit everyone to participating or accomplish this purely through the license-holder rules. But		impacts on SRKWs. The original justification from NOAA for			1		
benefit SRKW? Are there any drawbacks?	is a nee structure. (le there is language pointing at motor vessels yet other commercial motor vessels			there are a number of organizations that would be providing a new and supportive voice that could sway public perception in a positive direction.		moving wewing Bigg's to 200 yard from 200 yards was that the general public cannot tell the difference between			1		
	like the Victoria clipper will be exempt.) I believe that commercial human preserved seconds					ecotype. Since the Idensed professional vessels can tell the difference, and the Sign's population is this into it.			1		
	that commercial human powered vessels are equivalent to commercial transit vessels as they										
	travel predetermined paths that are not modified to maximize wildlife interaction and should have					standard. This also helps the economic viability of license holders as it removes the competitive advantage of whale					
	no greater requirement, licensing or restriction than that of any other commercial vessel providing					watching in California and Alaska, where professional vessel view killer whales at 100 yards.	1				
				I control of the cont	I .		I .	i .			
	transportation.										
	transportation.										
	transportation.										

Proposal Code Name	Samwell	Sansa	Brienne	Podrick
Does your proposal include rules for commercial whale watching license-holders for the viewing of SRWVP Please describe, and differentiate rules specific to motorized vs. kayak operators:	Yes. A 20 vessel limit with vessels caught moving from point to point for transit purposes exempt from this count. This limit would only be around SRKW.	I. Proposed Commercial Whale Watch Vessel License Conditions: A. Closed areas - the following SRW. Virtical Foreign areas will be closed to commercial whale watching activities until such time that it is determined by WoPV that whale watch activities are always not impact on SRW foreign success. Commercial whale watch vessels are prohibited from weiving marine manmals or transiting closed areas except for safety reasons or to access port facilities or docks. 1. From April 1 to September 30, the west side of San Juan Island, extending 1000 yards offshore, from Mitchell 8 yot Cattle Points closed. 2. Other areas/times may be closed to whale watching through public notice by WOPV. B. Commercial whale watch restrictions in Inland waters of Washington in 2021 and 2022 1. Commercial whale watch westels are prohibited from weiving SRWW within 1000 yards of SRW unless a Soundwatch vessel is present and collecting data within that same 1000 yard area. 2. No more than two commercial whale watch vessels may be within 1000 yards of SRW. C.An automatic identification system (AIS) must be fitted aboard all commercial whale watch vessels. The AIS must be capable of providing Information about the vessel (including the vessels' identify, type, position, course, speed, and navigational status) to state and federal authorities automatically. Vessels fitted with AIS shall maintain the AIS in operation at all times.	time spent with a group of Southern Resident orcas ('group' still need to be defined). This is just for vessels. Limits on numbers of kayaks with Southern Residents could also be discussed but would be a separate conversation as they are typically viewing Southern Residents opportunistically and can't easily change their speed or direction to avoid being in the vicinity of the	LNo motorized commercial whale-watching boats in the vicinity of SRKWs (within 1 km/0.62 miles) until indicators of population status improve and trigger science-based adaptive management. (RCW 77.65.620 1 (a)). Zld ilicense-holder comes across SRKWs incidentally, without seeking them out, they may view them for 15 minutes, with a maximum of 1 motorized boat in the vicinity (within 1 km/0.62 miles.) They must notify other whale-watch operators so that they avoid the area and focus on viewing other species. 3 Under adaptive management (see below), when science-based indicators of population status improve, indicating increased resilience to tressors such as vessel notice and disturbance, the number of motorized commercial whale-watching boats may increase to 1 or 2 between the hours of 9 am and 5 pm and under appropriate conditions for good visibility. If the indicators of population status improve to a greater extent, the number of motorized commercial whale-watching boats may increase to more than 2 (based on science and thresholds for disturbance). 4 When a license holder encounters SRKW, they are required to immediately northy WDFW and Soundwarkt of their location. 5. License holders with motorized vessels of all sizes are required to use Automatic Identification System (Ao re) in order to foster effective monitoring and compliance. 6. Commercial layaks operators launching tours from the west side of 5 an Juan Island may not bunch while SRKWs are visible in the vicinity, especially if the SRKWs are heading in the direction of the launch site. Kayakers can enjoy shore-based viewing and must wait until the SRKWs are 1 km away and traveling away from the kayakers (location before putting kayaks in the water. This builds on a standard in the K.E.L.P. Code of Conduct. 7.If SRKWs are possible (ideally in kelp beds), secure themselves, raft up and stop padding until the whales have passed by. This would codify a key standard from the K.E.L.P. Code of Conduct (updated from 200 to 300 yards to reflect the latest vess
How is this (CWW viewing of SRKW) aspect of your proposal designed to reduce the daily and cumulative impacts on SRKW? Where possible, cite science or data that supports your idea.	Idon't have the science to determine what the acceptable number would be. i will say that if 0 was an acceptable number we wouldn't be engaged in this process.	Cosing SRKW critical foraging areas will enhance SRKW's ability to detect and capture salmon. Although a precautionary approach would call for no SRKW whale watching, allowing a few commercial whale watch vessels to view SRKW only when Soundwatch vessels are present will reduce vessel impacts while allowing for continued data collection (to foster adaptive management). Closing critical SRKW foraging areas in Puget Sound will have indirect effect of encouraging other vessels to avoid areas necessary for the survival of SRKW and hopefully foster federal/state actions to restrict other vessels from entering the critical areas. Requiring AIS on all commercial whale watch vessels safety to locations of SRKW (determined by sonabury, researchers and shore-based sighting reports) and provide necessary froof for enforcement of distance provisions and closed areas. Much/most of the scientific literature in recent years on vessel effects on SRKW support reducing/eliminating noise and disturbances that negatively affect SRKW foraging behavior.	It is designed to reduce sound received by Southern Resident orax, maminze foraging ability, and decrease stress levels, however it is difficult to quantify any of these at this time as the best available science was conducted before current regulations went into effect. There are some older studies that could provide a starting point. Williams et al 2009, which used data from 2003 to 2005 and determined that number and proximity of boats affects path directedness, respiration rate and surface behaviors in SRAW. Ayres et al 2012 found that when both boat numbers and salmon abundance peak, stress hormones are at their lowest but that when preys is limited, exesses scould compound nutritional stress. And Houghton et al 2015 found that numbers of vessels present at various speeds was not a factor in sound levels received by the whales and that vessel speed was the primary contributing factors. These studies would need to be examined under the least for current regulations and changes in best practices by the whale watch industry in order to determine what additional changes, if any, would produce the desired effect.	hese rules would apply every day, which is necessary to reduce the dally impacts on SRKW, and they would reduce noise as well as disturbance from boat presence. Science shows that the number of boats matters. Killer whales change their activity state (shifting avoidance strategies) with more than 3 boats within 1000 meters as seen in a study on NRKWs (Williams, R. and Ashe, E., 2007. Killer whale evasive tactics vary with boat number. Journal of study on NRKWs (Williams, R. and Ashe, E., 2007. Killer whale evasive tactics vary with boat number. Journal of recent of the property of the state of the very care in the total number of recreational boats through these rules but we can reduce the total number by reducing the number of commercial whale-watching vessels. The Soundwatch 2019 report indicates that ecotour vessels are more than half of the boats seen accompanying the whales (Figure 24 and 25), and most of the vessels within one-half mile of the whales are these "whale-oriented" boats. Positive publicity awareness among the general public and encourage some recreational boaters to also give the SRKWs more space. It is not just about noise: the presence of vessels not under motor power, including kayake, changes orca behavior, increasing the likelihood that orcas will switch to travelling and spend less time foraging (Williams, Ashe, Sandilands, and Lusseau, 2015), (NRKWs use for some studies because "opportunities to view SRKW, in the absence of boats, let alone to manipulate boat traffic near focal animals under controlled conditions, are rare.") While increased prey is most timportant, an increased noise and disturbance level on its own is also predicted to push the SRKW population into decline Layer 41. 2017). Regarding AlS: Beacuses "opportunities to view SRKW in the absence of boats, let alone to manipulate boat traffic near focal animals under controlled conditions, are rare.") While increased prey is most important, an increased noise and disturbance level on its own is also predicted to push the SRK
How might your proposal for CWW viewing of SRRW impact the economic viability of license holders? How did you consider the potential economic impact in your proposal?	I would think a reasonable vessel limit number with the boats working together to cycle through (as i understand they already do) would have minimal negative economic impact.	Cammercial whale watch operators have stated that SRXW viewing has been a very small part of their whale watch operations in recent years. Thus, these restrictions should have minimal or no economic impact especially since the occurrence of humpback whales and transient killer whales (and valisability for watching them) in inland waters has increased in recent years.	The goal is to not impact the economic viability of license holders by allowing them to continue viewing Southern Resident orcas and incorporating some regulations that they are already doing voluntarily.	I support a sustainable whale-watching industry, whale watching and the education that goes with those experiences can increase public support for conservation and is important to our economy. Other, non-endangered species are commonly seen and provide solid (and exciting) viewing opportunities to support ongoing tours. It appears that recently, operators have already been focusing on species other than the SRKWs when possible, and that other species are much more prevelent and provide great viewing opportunities. Putting this on appear as a formalized commitment should be doable in a way that has little to no economic impact on license holders. There is even an opportunity for multi-stakeholder collaboration to celebrate this commitment and give the industry great positive publicity to drive more demand. NOAA's 2017 review found that the 2011 regulations did not have any negative economic impacts on the whale watching. The Earth Economics report estimates projected losses of \$34 million in economic activity, \$2.2 million in state and local tax revenue, and 330 jobs if the SRKW oppulation were to collapse, so protecting this endangered population will be beneficial not only for the whales themselves but also for the local economy and the economic viability of license holders in the long run. Regarding Als: Als B units are far less expensive than Als A, Als B units cost only a few hundred dollars. Lise of Als B will minimize the equipment cost to license-holders. Requiring the use of Als also improves the range of tools available to enforcement, increases the efficiency of enforcement efforts, and lowers the potential fuel costs and fuel consumption of monitoring and enforcement operations.
What are some potential challenges or drawbacks of your proposal in Question 37 How would you miggle for them? As would you miggle for them? As there key questions the Science Panel could answer to validate or improve your proposal?	Cooperation among the companies. I would say that if and only if) there are more than the max number set forth in the vessel limit then a time limit might come into play.	We will need to ensure Soundwatch is collecting statistically reliable data that can be used to directly measure commercial and recreational vessel affects on SRW. We should ask Science Panel to review Soundwatch's sampling approach/plans and data collection protocols to ensure data collected will be of value in assessing vessel impacts. The panel should also provide recommendations on research data that should be collected to evaluate the effectiveness of the proposed regulatory changes. The application of these restrictions to commercial kayak operators may be challenging and require further discussion with kayak operators and enforcement officials.	how recent regulations and voluntary changes by the whale watch industry have affected sound and stress levels received by Southern Resident orcas. We need to look at the best available science but incorporate new data and new information or it will be very difficult to determine the "magic" number of boats or time to limit to. We also need to incorporate he most recent behaviors of the whales as they are generally quite spread out searching for salmon when they are here. So we will have to define what a group! of whales actually means. Another challenge is whether or how to apply limits to kayaks. As mentioned earlier, they are watching whales opportunistically and are not mobile enough to follow the same kinds of regulations. The linguist challenged/arwback is the fact that we can only have this apply to commercial whale watch boats while the majority of incidents are caused by recreational boaters. So if we limit the commercial boats but the recreational boaters so if we limit the commercial boats but the recreational boaters are still traveling too fast and too close to the whales, we will have accomplished nothing. Therefore, I think it is our responsibility to include a recommendation that the state look at including additional regulations for recreational boaters.	
What conditions would indicate that these rules need to be updated/revised (more, less stringent, or new rules all together)? How would you recommend changing them based on changes in the system?E.g. lost of new births in one year triggers from X to Y	I don't think this has ever been done on a meaningful scale enforcement. I believe that the evolution of rules around SRKW has been without compliance, without full picture analysis, and without accountability. It isn't that the old rules didn't work it's that they were never enforced. These new rules that we set forth will mean nothing without enforcement.	The "re-occurrence" of SRW in critical foraging areas during Chinook saimon migrations in Puget Sound will be the key measure to evaluate effectiveness of the proposed license provisions.	The rules would need to be updated or revised if new science becomes available that indicates a revision is warranted.	Recommend tyring partial and full relaxation of the rules related to # of boats in the vicinity (between Sam-Spm) to: Jholes and disturbance thresholds recommended by the science panel as indicating no adverse impact to the SRXWs given population status and prey availability. 2) adaptive management triggers recommended by the science panel 3)significant progress towards or achievement of the Orca Task Force's short-term (I/O-year) goal of 48 SRXWs in the population if the population status declines again, the allowable number of commercial whale-watching vessels is fully restricted once more. There could be adoptive management triggers based on the Orca Task Force's other indicators: consistently well-inouristed whales, more live births, and the survival of several thirting young orcas. There could also be an adaptive management trigger if there are two or more years of abundant salmon, since noise and disturbance rate so of a threat if salmon are plentful; any restrictions that are relaxed at that point would need to be put back in place if salmon and bundance drops again. Potential unintended impacts on other species should be monitored over time. If there are adverse impacts on other species due to increased pressure, in future years DFW should create rules for license-holders related to viewing those other species.

How would the rules you propose in Question 3 be enforced? How do you propose we measure and maximize compliance?	Patrols and ticketing, system of points for infractions similar to Drivers License points, were within a given year or multi year period a certain number of infractions could result in license suspension.	Defined area closures combined with vessel AIS should allow for adequate enforcement of closed area provisions. Limiting the number of commercial whale watch vessels within 1000 yards of SRW could be challenging if/when multiple commercial whale watch vessels approach the 1000 yard limit concurrently and/or are moving in/out of the restricted area.	Admittedly this proposal is difficult to enforce because it doesn't apply to everyone. If the whale watching industry is part of the process and they have buy-in they can help to monitor themselves. I look at Laguna San (gnacio in Baja as a model of this. They have regulations on boat numbers and time limits and they self-regulate. There is a member of the community who monitors the numbers of boats and basically provides the red light and green light for new boats entering the area. But this could become challenging when you have several groups of whales spread out over long distances.	monitoring and enforcement efforts. If license-holders notify WDFW when they come across SRKWs, WDFW can target its enforcement efforts there, and also look at AlS data to see if other license-holders are abiding by the rules in terms of their presence in the area. To enforce the use of AlS, there can be spot checks at docks and on water to
Does your proposal include recommendations to VIDFW regarding the administration of the CWWLP? (e.g. requirements for license holders, including reporting, education/outreach, qualifications, et.). What are your recommendations? How would these recommendations enhance your proposal and benefit specific to the proposal and benefit specific to the proposal and benefit excommendations alone do not meet our legislated mandate and may require additional legislation.	I recommend that those with an already established history of operation ~2+ years be granted permits. I also propose that permits cannot be denied to current license holders without cited infractions (the number of which also will need to be determined)'	With AIS and Soundwatch vessel presence requirements, there should be no need for reporting or observer requirements on license holders.	This could include a number of years of previous experience,	As alternative technologies for quieting small vessels are developed, studied, and available, explore discounted license fees for any operators that change the technology on their vessels (e.g., echo sounders, propulsion systems) to make them quieter/more wildline-friendly and/or that participate in tests of new technologies to evaluate impact on noise. This would have broad benefits for marine wildlife that is sensitive to noise, including SRXWs when in the vicinity.
Does your proposal include any additional/broader additional/broader recommendations outside the scope of our rulemaking under RCW 77.65.6207What are your recommendations? How would these recommendations enhance your proposal and benefit SRKW? Are there any drawbacks?	Ifeel that human powered vessels are technically incapable of 'whale watch' even under the broad scope of "any marine mammal" I would move for there to be language that makes a clear distinction between human powered vessels in transit. and that the only language in the KCW that indicates that human powered vessels supply to this literalist and that the only language in the KCW that indicates that human powered vessels supply to this literalist is a few structure. (Ie there is language pointing at motor vessels like the Victoria clipper will be exempt.) I believe that commercial human powered vessels are equivalent to commercial transit vessels as they travel predetermined paths that are not modified to maximize willdise interaction and should have no greater requirement, licensing or restriction than that of any other commercial vessel providing transportation.	WDFW should encourage/request that NOAA include the closed area restrictions in federal whale watch guidelines or regulations so that the closure will apply to all whale watching (not just commercial whale watch vessels).	As stated earlier, there will have to be some additional regulations that apply to recreational boaters if this proposal is to benefit the Southern Resident orcas.	I recommend and would participate in collaborative publicity on new meaningful protections championed by commercial whale watching industry, to boost positive publicity with support from the conservation community. Clear positive messaging about the new protections and the value of still viewing other species of marine mammals for education and conservation messaging. This would help the industry recover from COVID-19 impacts and help turn any economic impact of the new rules into a positive impact. It would be a win-win, with benefits to SRKW (by reducing noise and disturbance) and industry (by improving public perception and marketing for all of the other business). Drawbacks: We can't commit everyone to participating or accomplish this purely through the litense-holder rules. But there are a number of organizations that would be providing a new and supportive voice that could sway public perception in a positive direction.

Proposal Code Name	Jon	Arya	Gendry
Does your proposal include rules for commercial whale watching license-holders for the viewing of SRKWY Please describe, and differentiate rules specific to motorized vs. kayak operators:	Yes RCW 77.65.620 1 (a): Require CWW license holders to comply with the requirement that there are zero license holders viewing SRKW until measures indicate SRKW population health and numbers are recovering at which time adaptive management measures are driggered. Revisit progress at three years, five years, and seven year. RCW 77.65.620 1 (b): License holders are not allowed to operate in the vicinity of the known location of SRKW during extremely low visibility conditions (e.g., dawndusk, fog). Vicinity should be defined as .5 nautical miles, similar to the 7 knot speed limit within .5 nautical mile. RCW 77.65.620 1 (c): [duration spent with SRKW] N/A until adaptive management triggers are met. Permanently require that license holder motorized vessel has some type of AlS on board. For commercial kayak license holders, require one AlS unit per waxak group. Als must be turned on at all times when out on the water. This will enable effective monitoring and compliance with CWW license holder rules and current vessel distance regulations. It would also be in synch with the Canadian CWW operators who are required to have AlS. Recognizing that commercial kayak outflist poreate in a different manner and intern but still have the ability and opportunity to view SRKW without purposefully seeking them out, the CWW licensing program needs to reflect that. It would make sense to colify the standards and best practices from the Kayak Education and Leadership Programs' s'code of conduct such as when launching from shore or from another vessel, rafting up when whales approach within 300 yards of shore, and move in as close to shore as possible.	I propose a limit of no more than 10 licensed vessels allowed to view a group of SRKWs at one time. A group of SRKWs would be defined as separated by at least 1 km, thus boats separated by 1 km would be determined as viewing different groups of SRKWs. In addition, I propose establishing a foraging zone on the west side of San Juan Island that extends 1/4 mile off shore from Eagle Point to Mitchell Point. License holders will not enter the foraging zone when SRKWs are present.	I propose that no commercial whale-watching vessels (excepting kayaks) be allowed in the vicinity of the SRKWs, until certain indicators of improvements in SRKW conservation status are documented by DPW. This rule can be implemented using provisions pileted in the 2013 agreement between Transport Canada and the PWWA and independent operators, barring operators from marketing or planning trips to watch on SRKW, and requiring that boats refrain from following SRKW and continue transting when the whales are inclientally seen. Under this proposal, kayak operators and operators of motorized watercraft would be treated differently, given the lesser mobility of kayak operators, the nature of their whale-watching, and other factors. My recommendations for commercial kayako operators are so follows. (1) of the west coast of San Juan Island, and in any other coastal area with relatively high current or historic occurrence of SRKWs, kayakers should be required to stay within a 20-meter corridor along the shore, except when they are transiting off island. This rule would complement the provisions adopted by Canada, for the 2020 season, for kayakers paddling within designed sanctuary areas for SRKW. (2) Kayakers should be required to remain 300/A00 meters away from all killer whales, unless they can demonstrate the capacity to distinguish among killer whale ecotypes, whereupon they would receive a special category of whale-watching license that would allow them to come closer to non-Southern Residents. (This allowance would be provisional on further discussion of whether distinguishing ecotypes is reasonably achievable at distance from the height of a typical kayaker.) (3) in keeping with the unplanned nature of whale-watching from kayaks, kayakers should not be allowed to market trips for SRKW viewing.
cumulative impacts on SRKWP. Where possible, cite science or data that supports your idea.	Zero CWW viewing of SRKW yould have a cumulative benefit for SRKW by reducing the daily and cumulative impacts and is based on the precautionary principle approach to achieve conservation and recovery of a federally listed endangered species. Under this option whales can effectively forage, rest, and socialize (in charter), allow for foing-term sustainability and recovery of SRKW (in charter), is consistent with the best available science (as vetted through the science panel and in legislation), will apply adaptive management using the current and best availables cience (in legislation), and is implementable, enforceable, manageable for license holders and WDFW (in charter). Zero CWW viewing of SRKW (meable recovery efforts and monitoring and enforcement to address a lot of "uncertainties" that have been raised such as pods being more and more dispersed in smaller groups or individually, unanticipated orce behavior, low visibility conditions on the water, recreational boater presence, lack of law enforcement presence to enforce current vessel regulations and any future CWW SRKW viewing regulations, such as number of vessels, duration, areas, time of day. Regarding BAS, it is well documented that resident killer whales respond to vessels engaged in close proximity with short – term behavioral changes including faster swimming speeds, less directed swimming paths, less time foraging, additional energetic costs, increased call amplitude and call length to communicate and forage, and increased avoidance behavior. Please see supporting document with the citations as well as Todd Hass's science presentation to the Advisory committee on 2/27/2020.		This proposal rests upon the basic proposition that we must eliminate disturbance of SRKWs to the greatest possible extent given the clire concernsation status of the population. Measures such as speed restrictions and west limits do not accomplish this purpose, incleded, the best available science indicates that small vessels at 30,000 meters and beyond can disturb adversely affect foraging behavior in resident or case of the population. Measures are shown as the exhibition of the population foraging the shown in the population of the population of the population of the population and the population of the population of the population and the population of the populati
How might your proposal for CWW viewing of SRKW impact the economic viability of license holders? How did you consider the potential economic impact in your proposal?	It is difficult to quantify the exact economic impact or viability of this proposal until PMWA discloses annual economic data for the advisory committee to eview and until the SBEIs is completed by WDFW. It would be beneficial to see what the annual economic data over the past 10 years related to gross revenue, passengers, etc., and compare it to the number days SRKW were in the Salish Sea. According to PWWA statements over the past few years, the percentage of time/trips spent viewing SRKW has been about 10-15%. PWWA acknowledged that in 2019, "three of the companies on the advisory committee combined saw SRKW on 7.4% acknowledged that in 2019, "three of the companies on the advisory committee combined saw SRKW on 7.4% of tours," (Jeff Friedman, PWWA). This low number is most likely attributable to the 19 days SRKW were in the Salish Sea that year. CWW operators will continue to view other marine mammals that are plentiful and healthy with or without SRKW present. According to a study from 2004 (Malcolm, 2004) that was cited in 2010 NOAA Environmental Assessment of the proposed vessel regs, it flound that "participants were most sastified with the respect their vessels gave the whales. The number of whales, whale behavior, and learning also received higher satisfaction than the distance from which whales were observed." Back in 2010, PWWA argued that vessel distance regulations (increase to 200 yards) would hurt the industry. A 2017 NOAA report looking at the effectiveness of the 2011 vessel distance regs as it pertains to impacts to the industry. It found that the number of commercial whale watch boats went up after 2010. Since 2011, the industry has experienced growth in the number of active companies, the total number of vessels in the fleet, and average ticket prices. Overall, IEC (2016) concludes that the regulations have not had any negative economic impacts on the whale watch industry and public's willingness to pay for whale watching has not decreased as a result of the 2011 regulations.	This proposal should not impact the economic viability of license holders.	No evidence has been presented that temporarily setting vessel numbers in the vicinity of SRXWs to zero will significantly impact the economic viability of license holders. The available information indicates that SRXWs constituted a small amount of commercial whale-watching effort (roughly 10%), a function of the increased availability of other marine mammals (particularly the transient KWs) for viewing as well as diminishing presence of the SRKWs. The industry has been substantially affected, however, by public concern about the SRXW and the sustainability of whale-watching, with members on the panel suggesting a 15-20% decrease in revenue or ticket sales over the last one or two seasons. For this reason, it is very possible that a zero-vessel rule, if properly announced and publicly supported by the environmental community, could have a net economic benefit for the industry.
What are some potential challenges or drawbacks of your proposal in Question 3? How would you mitigate for them? Are there key questions the Science Panel could answer to validate or improve your proposal?	A significant challenge for the advisory committee has been how to incorporate into the CWM licensing program mechanism, if any, to help address and decrease the number of incidents by recreational boaters. We all recognize recreational boaters are a significant factor and problem that needs to be addressed. However, it is not in the purview of this legislation or this advisory committee to ask CWM operators to enforce the vessel distance regulations or to educate recreational boaters. The CWM idensing program with an adaptive management framework is an opportunity show case and promote the collective commitment to the recovery of the endangered SRKW while promoting other wildliffe and whale viewing opportunities. CWM operators could be seen as and acknowledged as stewards of the marine environment and players in the recovery of the SRKW. Economic mitigation measures for the CWM industry and commercial kayak outfits to consider include grants for purchasing and installing AlS systems and walve licensing fees for the first few years (TBD).	The only drawbacks would be that the general public is not aware of the benefits to SRKW from professional vessels. The public does not understand the benefits of the protective presence of professional whale watching vessels to allert recreational vessels, commercial shipping, military, and ferries. The public also does not widely understand the education, conservation and citizen science value. This can be mitigated by public education from WDFW and NGOs.	A potential drawback to the proposal is the lack of a sentinel contribution from whale-watching vessels. It is difficult to evaluate this drawback since sufficient analysis has not yet been done confirming or quantifying the effect of commercial boat presence in reducing private-vessel violations. But any drawback can be mitigated by increasing on-water presence of DFW vessels, which has been shown, from five years of SoundWatch data, to substantially reduce violations by private boaters; and by investing in boater education.

What conditions would indicate that these rules need to be updated/revised (more, less stringent, or new rules all logether)? How would you recommend changing them based on changes in the system?Eq. Job of new births in one year triggers from X to Y	The adaptive management framework needs to be tied to the health and recovery of the SRXW population. A recovery goal of 2.3% per year growth rate with an increase of SRXW pop to 84 whiste by 2028, essentially 10 more whates in 10 year has been identified and should be adopted as the adoptive management trigger in concret with near-term criteria for recovery that includes evidence of (1) consistently well-nourished whales due to good salmon run years; (2) more live births; and (3) the survival of several thirting young orcs. With a CWW increasing program that intitially require inceine holders to comply with the requirement that there are recovered increasing the recovery of the recovery of the recovery of the recovery of the control of the recovery of the	The evaluation of the rules should not be tied to population numbers, as it is widely agreed upon in the science community that prey abundance is the primary driver of SRKW population. Perhaps evaluating Soundwatch monitoring data and PWWA sentinel role documentation over time would be good metrics to evaluate.  These rules would be easy to enforce and existing PWWA	Conditions for revision of the rules should be based on the conservation status of the SRKW population. A number of possible indicators are available, the most prominent of which are the growth rate standard in the NMFS Recovery Plan (2.3% per year for 28 years), which might be reduced to a shorter period than is necessary for full recovery and delisting; and the initial abundance target (84 orcas) established by the Washington State Task Force. I would recommend seeking the advice of the science panel in evaluating these and other options. I would strongly recommend against using a standard along the lines of the strawman suggested on the survey form ("lots of new births in one year"), since high mortality occurs during the first two years of life, and since multiple years of growth are necessary to begin recovering the population.  As noted above, I recommend expanding the on-water presence of DFW enforcement vessels. Compliance
propose in Question 3 be enforced? How do you propose we measure and maximize compliance?	license holders, require one AIS unit per kayak group, AIS must be turned on at all times when out on the water. This will enable effective monitoring and compliance of the license program rules and be in synch with the Canadian CWW operators who are required to have AIS. When adaptive management trigger is met to allow for SRKW viewing, the following should be required to ensure compliance by license holders: -Notify the location of their location and their location and their location and or the SRKW groups to SW and WDFW. AVDFW, NOA or Coast Guard enforcement and/or SW patrols are present in the vicinityFly the whale warning flag.	communications allow the professional vessels to cooperate to help self-enforce these measures.	As noted above, I recommend expanding the on-water presence of UPW enforcement vesses. Compliance should be measured not only in terms of violations recorded by DFW and SoundWatch, but in time spent by commercial vessels within the vicinity of the SKRW (0.5 miles) per hour of SoundWatch/DFW presence.
Does your proposal include recommendations to WDFW regarding the administration of the CWWLP? (e.g. requirements for license holders, including reporting, education/outreach, qualifications, etc.)What are your recommendations? How would these recommendations enhance your proposal and benefit SRKW? Are there any drawbacks?Note: These recommendations alone do not meet our legislated mandate and may require additional legislation.	yes. License holders must be U.S. based commercial whale watch operator or commercial kayak outfit. When adaptive management rigger is me to a lollow for SRXW viewings. Require CWW license holders to notify the location of their location and of the SRKW groups to SW and WDFW -Require WDFW, NOAA or Coast Guard enforcement and/or SW patrols to be present -Require license holders to be downwind of SRKW - Require license holders to the downwind of SRKW - Require license holders to the downwind of SRKW - Require license holders to the whale flag. The benefits to SRKW from these would help vessel operators, both CCW and recreational boats, comply with current vessel regs and future license holder rules. For education and outreach, the CWW operators already provides this invaluable service and opportunity to their clients with onboard naturalists. And since this not in within the framework of the RCW it should not be required in the framework of the licensing program but highly encouraged.	One additional requirement for license holders is to require licensed vessels to alert WDFW and Soundwatch to the presence of SRKWs when first identified, if WDFW enforcement and Soundwatch are not present. License holders can also work with WDFW and Soundwatch to help prioritize presence in high traffic areas to best accomplish alerting and slowing other vessels in the area around SRKWs.	
Does your proposal include any additional/broader recommendations outside the scope of our rulemaking under RCW 77.65.620?What are your recommendations? How would these recommendations? how because these recommendations enhance your proposal and benefit SRKWY Are there any drawbacks?	License holders should be required to turn off echosounders when in the vicinity of SRKW except for emergency situations and for safety.	A broader proposal is to allow licensed professional vessels (not the general public) to view Bigg's killer whales from the global standard of 100 yards under certain conditions (number of vessels, etc). This would provide licensed professional whale watch vessels an incentive to view whales other than SRKWs, which can help reduce potential impacts on SRKWs. The original justification from NOAA for moving viewing Bigg's to 200 yard from 100 yards was that the general public cannot tell the difference between ecotype. Since the licensed professional vessels can tell the difference, and the Bigg's population is thriving, it makes sense to allow licensed vessels to view at the global standard. This also helps the economic viability of license holders as it removes the competitive advantage of whale watching in California and Alaska, where professional vessels view killer whales at 100 yards.	

Proposal Code Name	Tormund	Bronn	Davos	Tyrion
Does your proposal include rules for commercial whale watching license-holders for the viewing of SRKW? Please describe, and differentiate rules specific to motorized vs. kayak operators:	Yes. RCW 77.65.620 1 (a): Require license holders to comply, temporarily (per adaptive management), with the requirement that there are zero license holders viewing SRKW. Vessels could still transit to a destination (other than the location of SRKW) in the vicinity of SRKW ("vicinity" defined s "within one-half nautical mile" which would be consistent with RCW 77.15.740 (1) (e)) as long as there is compliance with current distance requirements and vessel speeds.	I propose no new rules for commercial whale watching license holders other than the requirement that they obtain a commercial whale watching license. At this time, due to the lack of evaluation of the most recently imposed rules that resulted from the Orca Task Force, and the possibility that further restrictions would be harmful both economically for whale watch operators and physically to Southern Resident killer whales, further restrictions should not be created.	License holders are allotted an annual limited violations clause, much like direct takes on a research permit. Each license holder will receive X number of "warnings" for violating the rules outlined within the license and if they exceed this number then their license is revoked for the rest of the year. The authority and enforcement of this clause would be handed down to WDFW on-the-water enforcement, in that if they witness or record a violation by a license holder they will record the necessary information and if this exceeds the allotted number that license holder looses their privileges granted by the license.	A. I propose a limited licensing program which would limit licensing availability to CWW companies that have been in the business of CWW for the duration of 2018, 2019, and 2020. B. I propose that viewing of SRKW by CWW be limited to 1 hour within 400 yards.
How is this (CWW viewing of SRKW) aspect of your proposal designed to reduce the daily and cumulative impacts on SRKW? Where possible, cite science or data that supports your idea.	Zero CWW boats watching SRKW would eliminate the daily and cumulative impacts on SRKW from commercial whale watch license holders – assuming compliance. The BAS is definitive that vessel acoustics and presence adversely impact SRKW socializing and foraging effectiveness. This proposal is based on the precautionary principle approach. Given the critical status of the SRKW population and given that there is no BAS that definitively defines what vessel distance plus vessel noise would equal no impact to SRKW, the precautionary principle approach to the limitations included in this rulemaking should err on the side of benefit to SRKW. The proposal for no CWW viewing of SRKW would be temporary until such time that there is BAS that definitively defines viewing parameters that would cause no impacts to SRKW or until SRKW recovery indicators determine that potential CWW viewing impacts would not adversely affect recovery goals.	The proposal of imposing no new restrictions on top of the distance and speed regulations that already exist would reduce the daily and cumulative impacts on SRKW by ensuring the presence of responsible, trained professionals in the vicinity of whales. Soundwatch data show that when professional whale watch vessels are present, there are less recreational boat infractions, creating, according to experts such as Dr. David Bain of Orca Conservancy and Ken Balcomb of Center for Whale Research, a quieter and safer overall environment compared to what might occur if whale watching vessels were to be absent or further restricted. It is the presence of whale watchers and not the absence of whale watchers that lessen daily and cumulative effects.	This will give "teeth" to the licensing program and the regulations established within. Already we have seen guidelines put forward, but have data to show those guideline are not always followed. Currently, there is a weak system of oversight, consequences, and reporting for violations to guidelines. For direct violations against State laws WDFW onthe-water enforcement has shown effective, but yet the data still shows violations taking place, most likely when WDFW is not present.	Proposal A will reduce the overall number of CWW vessels by limiting the licensed vessels to those that are still in business in 2020 and will ensure that the number of vessels in operation does not grow going forward. 2020 will see a marked reduction in CWW businesses due to Covid-19 impacts. Additionally, It must be understood that whale watching is not like commercial fishing. CWW often have choices on where they can go and actively work towards having the fewest vessels for each group of whales in the region. Putting a cap on licenses overall will provide a mechanism that will reduce the average number of vessels with any group of whales in the region and will lessen the number of vessels with any group of whales in the region any given day. Proposal B will help maintain the already low average number (approximately 3) of CWW vessels with SRKW and will help prevent the number of vessels engaged in viewing SRKW from increasing.
How might your proposal for CWW viewing of SRKW impact the economic viability of license holders? How did you consider the potential economic impact in your proposal?	This question cannot be answered given that this committee has not been provided with CWW economic data. If zero CWW viewing of SRKW would have an effect on the economic viability of license holders that operate in the inland waters of WA, the historical CWW businesses' economic data would correlate with data on SRKW presence in the inland waters of WA. It's also important to note that the ESA does not consider economic viability and is focused solely on saving the listed species.	The proposal of not implementing additional restrictions for experienced whale watch operators would prevent further economic harm to license holders beyond the impact of the creation of the license itself which is critical, especially in light of the devastating financial losses caused by COVID-19.	This rule could increase the cost of the license or doing business by the holder if they loose their license, but it highly increases the accountability of license holders. If the holder is operating in a positive manner by the rules stipulated within the license, then there should be no negative economic impact.	Limiting licenses to those operators that are already engaged in CWW will not have a negative effect on license holders. Limiting the time spent viewing SRKW to 1 hour is a reasonable amount of time for engaging and educating guests and would not negatively effect license holders.
What are some potential challenges or drawbacks of your proposal in Question 3? How would you mitigate for them? Are there key questions the Science Panel could answer to validate or improve your proposal?	It has been a challenge to discuss this proposal without having it labeled as a "moratorium" and a source of economic impact to the CWW operators. What is important is for the CWWLP to be communicated clearly to the public. It's imperative that there be no miscommunication (such as this rulemaking resulting in a "ban on whale watching"). Mitigations could include promotional materials that highlight all the wildlife and whales (other than SRKW) that can be seen from CWW vessels, and promotional materials about the CWW operators supporting SRKW recovery.	sentinel role that whale watch operators serve, might not understand that an absence of whale watchers could cause harm instead of benefit. This could be mitigated with WDFW's public support of professional whale watching and endorsement of the good work they do educating the public	This rule could lead to an influx of reports from the public on violations against the license. This may increase reporting for violations against the State law, but there are some members of the public out there who might utilize this rule to submit frequent and unnecessary reports to WDFW about license holders. I think this could be mitigated by affording the enforcement and investigation of this rule and reports to WDFW enforcement, as they already do, but not extend these "enforcement" privileges to other organizations, such as Soundwatch, PWWA, etc.	The primary drawback to implementing any proposals is that we don't have an accurate picture of what impact the past regulation changes have had. I would ask the science panel to look at what positive impacts the many regulatory, and guideline, changes have had over the last 15 years.

What conditions would indicate that these rules need to be updated/revised (more, less stringent, or new rules all together)? How would you recommend changing them based on changes in the system?E.g. lots of new births in one year triggers from X to Y	The adaptive management of this rulemaking should include the BAS for identifying the parameters for whale watching that would have no impact on SRKW. The rule could then be adjusted accordingly. SRKW population/health improvement indicators (e.g., population growth) should also be considered. The science panel should identify appropriate population health indicators.	If new, peer-reviewed science became available that was conducted under the current viewing distance (300 yards) and speed regulations, and was convincing in showing that additional regulations would benefit SRKW, another collaborative panel could be assembled and the idea of additional or new regulations visited at that time. At the moment, no scientific publications have investigated the current regulations implemented in 2019 (300 yards, 7 knot slowdown), and very little have even looked at the regulations that were put in place in 2011 (200 yards). Science being cited currently that was conducted assuming vessels viewing from 100 yards with no speed restrictions, is unrepresentative of modern whale watching in Washington state.	increased number of allotted "violations" to holders to allow for changes in behavior and working out the kinks of the program, then as time moves on these allotted "violations" are reduced. Maybe if a holder looses their license one year the next their numbers are reduced further.	Unfortunately, the overall health of the SRKW population relies on a lot more than the issues surrounding CWW vessels, which have been largely mitigated already. The SRKW population is expected to continue its decline until the prey availability issue can be adequately addressed. A period of continued growth in SRKW population could prompt a reduction in restrictions, however, a further reduction in SRKW population does not necessarily mean vessel restrictions should be tightened. The many vessel restrictions that have been enacted in the last 15 years, unfortunately, does not seem to show a positive corelation in SRKW population. It is unlikely that more restrictions will have a different outcome. The best indicator resgarding CWW vessels specifically is the average number of CWW vessels viewing SRKW. This can be easily tracked using Soundwatch data going forward.
How would the rules you propose in Question 3 be enforced? How do you propose we measure and maximize compliance?	To assist DFW with enforcement: Require AIS for all license holder's vessels (with an exception for kayaks: either no AIS requirement or require one AIS per kayak group). Require license holders to notify DFW (and, if appropriate, Soundwatch) of SRKW presence (in real time).	As no additional rules would be in place apart from the current state law regarding viewing distances and speed restrictions, WDFW officers would be responsible for enforcement as they are currently, without the need for extra resources.		WDFW will be responsible for issuing licenses and can easily do the research to determine which companies are eligible to receive them. WDFW can monitor when CWW vessel arrive in the vicinity (400 yards) of SRKW and determine the amount of time each CWW vessel is there. Professional members of the PWWA have already shown an ability to abide by similar guidelines. WDFW would simply be a check, not a gate keeper.
Does your proposal include recommendations to WDFW regarding the administration of the CWWLP? (e.g. requirements for license holders, including reporting, education/outreach, qualifications, etc.)What are your recommendations? How would these recommendations enhance your proposal and benefit SRKW? Are there any drawbacks?Note: These recommendations alone do not meet our legislated mandate and may require additional legislation.	Yes. License holders should be required to notify DFW and, if possible/appropriate, Soundwatch, with information on SRKW presence in real time. SRKW presence data would assist DFW enforcement efforts (e.g., recreational vessel violations). License holders should be required to have all captains and/or naturalists (at least one employee per vessel) demonstrate their ability to differentiate SRKW from transient orcas. Education and outreach should not be required as that would be difficult to enforce and/or measure.	I recommend that, due to the catastrophic effects that COVID-19 has had on professional whale watching operators in Washington, creating extreme financial hardship from which some companies may not recover, the fees for the commercial whale watching license be suspended until at least November 30, 2022, the first date the law requires that the program be evaluated. At that time, WDFW can reexamine the program, fees, and the state of the whale watching fleet in Washington and determine appropriate action moving forward.	Yes.	Not at this time.
Does your proposal include any additional/broader recommendations outside the scope of our rulemaking under RCW 77.65.620?What are your recommendations? How would these recommendations enhance your proposal and benefit SRKW? Are there any drawbacks?	This is outside the rulemaking scope: To assist DFW with enforcement: Require license holders to notify DFW (and, if appropriate, Soundwatch) of SRKW presence (in real time).			It is abundantly clear that without addressing recreational vessels and shipping traffic, any regulations implemented will have a limited benefit in regards to potential vessel impacts.