

## More people irked by harassing of orcas

**Judith Lavoie**

Times Colonist

*Tuesday, August 19, 2008*

People are becoming more educated about proper human behaviour around whales and that has led to an increasing willingness to report boaters believed to be harassing marine mammals, enforcement officials say.

Knowledge combined with a cellphone culture has helped to put a spotlight on offenders, they say.

A prime example was the case last week of Xi Chang Gao, a Sidney crab fisherman, who was fined \$3,500 after being convicted of disturbing marine mammals.

Gao was seen driving his boat at full speed through a pod of killer whales near South Pender Island and was reported by four independent witnesses, backed up by cellphone video.

It is the kind of evidence that is usually only available when Department of Fisheries and Oceans officers see an incident, said Larry Paike, DFO detachment supervisor.

In a case like that, in which a local fisherman who knows the rules is involved, prosecution is seen to be necessary.

But, often culprits are out-of-town boaters, unaware of regulations that prohibit them from getting too close. They get away with a tongue-lashing.

"It's very humbling for a dad, in front of his kids, to be told he's contravened federal legislation and impacted an endangered species," Paike said.

Complaints about misbehaviour can sometimes be too sketchy.

"We get calls saying things like 'there's a big orange boat that's too close to the whales.' When we get those reports we give them a cursory review because it's not enough to go on," Paike said.

Next year, another option may be available to help with keeping marine mammals safe.

Regulations are being overhauled by the federal government and will probably include provisions for ticketing boaters.

Although the focus in Juan de Fuca Strait is endangered orcas, tickets could also be issued for offences such as driving sea lions into the water for a photo op or feeding seals so that they become habituated to humans.

In Washington, ticketing started in June and Sgt. Russ Mullins of Washington State Department of Fish and Wildlife said it is working well.

"So far, we have seen pretty good compliance and we've only given one

citation. We've given warnings to several other individuals, but we're taking a slow approach," Mullins said.

On both sides of the border it is more likely to be recreational boaters than whale watching boats causing problems. "Ninety-some per cent of operators are responsible, but there's always a few individuals that you spend most of the time with," Mullins said.

Marine zoologist Anna Hall, a Prince of Whales employee, said clients are usually extremely aware of the need to keep a distance from the whales.

Any problems usually involve people from other parts of the world who have rented a boat, so education is key, Hall said.

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## SHARING THE SEA

Why do humans need to keep their distance from killer whales?

The fragile population of three southern resident killer whale pods, with about 87 animals, is struggling with pollution, climate change and shrinking salmon runs.

Boat noise interferes with the hunting of prey

If a pod is surrounded by boats it means the whales will change swimming patterns and have to use more energy.

What are the rules?

- Slow down to less than seven knots within 400 metres of the nearest whale.
- Keep clear of the whales' path.
- Do not approach whales from the front or behind. Travel parallel to them.
- Do not get closer than 100 metres.
- Limit viewing time to 30 minutes.
- Report problems to the Department of Fisheries and Oceans at 1-800-465-4336.

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