



**NOAA
FISHERIES**

**Southeast
Regional Office**



Photo credit: Dolphin Ecology Project

To report marine mammal violations, such as feeding, touching or chasing wild dolphins, contact NOAA Fisheries Office of Law Enforcement Hotline: **1-800-853-1964** (tips may be anonymous)



“Frequently Asked Questions” PROTECT DOLPHINS CAMPAIGN

Is feeding wild dolphins illegal?

Yes, feeding and attempting to feed dolphins in the wild is prohibited under the implementing regulations of the Marine Mammal Protection Act of 1972 (MMPA) (http://www.nmfs.noaa.gov/pr/pdfs/laws/mmpa_regs_216.pdf). Because the MMPA applies in both state and federal waters, feeding and attempting to feed is illegal in both state and federal waters throughout the United States.

Why is it illegal to feed and attempt to feed dolphins in the wild?

Feeding and attempting to feed wild dolphins is illegal for the following reasons:

- Dolphins lose their natural wariness of humans and become used to hand-outs from them, which increases their risk of injury from boats strikes and entanglement in fishing gear; decreases their willingness to forage for food on their own; and causes these behaviors to be passed on to calves and other dolphins.
- Feeding dolphins non-food items or contaminated food can jeopardize their health.
- Dolphins sometimes become aggressive when seeking food and have been known to bite when teased.

Is swimming with wild bottlenose dolphins illegal?

Harassment is illegal under the MMPA, and swimming with wild dolphins may lead to harassment.

How is “harassment” defined under the MMPA?

Harassment means any act of pursuit, torment, or annoyance that has the *potential to injure* a marine mammal or marine mammal stock in the wild (Level A harassment); or that has the *potential to disturb* a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, feeding, or sheltering (Level B harassment).

Does NOAA Fisheries Service have a policy about swimming with wild dolphins?

NOAA Fisheries maintains a policy on human interactions with wild marine mammals that states:

- Interacting with wild marine mammals should not be attempted, and viewing marine mammals must be conducted in a manner that does not harass the animals.
- NOAA Fisheries does not support, condone, approve, or authorize activities that involve closely approaching, interacting, or attempting to interact with whales, dolphins, porpoises, seals, or sea lions in the wild. This includes attempting to swim with, pet, touch, or elicit a reaction from the animals.

What research supports the need for responsible viewing practices?

Scientific research has shown that human interactions, either boat-based or intentionally swimming with wild bottlenose dolphins, can disrupt their normal behavior and activities. Notable literature includes:

Bejder, L., A. Samuels, H. Whitehead, N. Gales, J. Mann, R. Connor, M. Heithaus, J. Watson-Capps, C. Flaherty, and M. Krutzen. 2006. Decline in Relative Abundance of Bottlenose Dolphins Exposed to Long-Term Disturbance. *Conservation Biology* doi: 10.1111/j.1523-1739.2006.00540.x. Published online: 9-Aug-2006. (<http://www.blackwell-synergy.com/toc/cbi/0/0>)

Christiansen, F., D. Lusseau, E. Stensland and P. Berggren. 2010. Effects of tourist boats on the behaviour of Indo-pacific bottlenose dolphins off the south coast of Zanzibar. *Endangered Species Research* 11: 91 - 99.

Constantine, R. 2001. Increased Avoidance of Swimmers By Wild Bottlenose Dolphins (*Tursiops truncatus*) Due to Long-term Exposure to Swim-With-Dolphin Tourism. *Marine Mammal Science*, 17(4): 689-702.

Lusseau, D. 2004. The hidden cost of tourism: detecting long-term effects of tourism using behavioral information. *Ecology and Society*, 9(1): 2.

Samuels, A. and L. Bejder. 2004. Chronic Interaction Between Humans and Free-Ranging Bottlenose Dolphins Near Panama City Beach, Florida, USA. *Journal of Cetacean Research and Management*, 6(1): 69-77.

SEE & ID Dolphins & Whales App

SEE & ID Dolphins & Whales smartphone app provides an electronic species ID guide complete with information on biology, habitat, conservation, as well as guidelines for viewing marine mammals in the wild. The app includes illustrations and photos for over 40 marine mammal species found in the Southeast U.S. This app is useful for identifying and learning about dolphins, whales, and seals, while also learning how to protect marine mammals by responsibly viewing them in the wild.



How is the MMPA enforced?

NOAA Fisheries works cooperatively with many partners to provide a consistent and constant outreach message to educate the public that it is illegal to feed and harass wild marine mammals. The approach has focused on innovative outreach and education techniques to ensure the public understands why these activities are illegal, how these activities may harm wild dolphins, and how to avoid these illegal activities. NOAA Fisheries Office for Law Enforcement also works closely with other state and federal law enforcement agencies to enforce federal regulations and investigate violations when they occur. Violations can be prosecuted either civilly or criminally, and are punishable by up to \$100K in fines and up to one year in jail per violation.

How can people responsibly view wild dolphins?

NOAA Fisheries supports responsible viewing of dolphins in the wild. The following viewing guidelines have been developed to prevent disturbance of dolphins from viewing activities:

- **Never feed or attempt to feed wild dolphins** – it's prohibited by Federal law and it kills. For more information, visit: www.dontfeedwilddolphins.org.
- Remain a respectful distance from dolphins. The minimum **recommended viewing distance for dolphins is 50 yards** (the length of 1/2 a football field). Binoculars are recommended for best viewing.
- **Do not swim with, pet, touch**, or attempt to interact with dolphins.
- Any **vessel movement should be slightly parallel to and from the rear** of the dolphin. Pursuit of marine mammals is prohibited by Federal law.
- **If approached by a dolphin, put your vessel's engine in neutral**, allow the dolphin to pass and move away slowly.
- **Do not operate or maneuver vessel in a way that may change the dolphin's current behaviors**. Specifically, do not direct boat or accelerate toward dolphin(s) with the intent of creating a pressure wake allowing them to bow or wake-ride.
- **Time spent observing marine mammals should be limited to 30 minutes**. Dolphin(s) that are viewed by too many vessels and for too long increases the chance they will be disturbed.
- **Dolphins should not be encircled or trapped** between watercraft, or watercraft and shore. Always leave them an "escape route."
- **Slowly leave the area if wild dolphin(s) show signs of disturbance**, such as strongly exhaling, tail-slapping, repeated avoidance behavior, erratic changes in speed or direction, increased aerial behaviors, or lengthy periods underwater.
- **Report a dead, injured or entangled dolphin in the Southeast U.S. to 1-877-WHALE HELP** (1-877-942-5343) or download the Dolphin & Whale 911 smartphone app available on iPhone and Android devices.



For more information, visit:

<http://dolphins.sero.nmfs.noaa.gov>

<http://www.nmfs.noaa.gov/pr/dontfeedorharass.htm>