

Responsibly Watching

California's Marine Wildlife

DRAFT HANDBOOK FOR OCEAN USERS



Responsibly Watching California's Marine Wildlife: A Handbook For Ocean Users

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INTRODUCTION:

The purpose of this handbook is to provide California's ocean users, including boaters, fishermen, wildlife watchers, kayakers, whale watching and nature-tourism operators with clear and concise information about existing federal and state laws pertaining to California's marine wildlife and general agency accepted marine wildlife responsible viewing and stewardship principles. The goals of this handbook are to:

- promote voluntary compliance with existing federal and state wildlife protection laws and regulations;
- raise public awareness among California's ocean user groups and visitors about responsible viewing and stewardship principles; and
- promote communication and coordination between and among California's ocean user groups and the federal and state agencies responsible for marine wildlife protection and conservation.

This is the first California wildlife viewing handbook developed through NOAA. We encourage wildlife enthusiasts and ocean users to review the information in this handbook and participate in future efforts to revise and improve it. Please send comments to: Columbine Culberg at Columbine.Culberg@noaa.gov.

A National Survey on Recreation and the Environment (NSRE)¹ conducted in 1999 estimated that more than 120 million people participated in some form of coastal and marine wildlife viewing or nature-based recreation in the U.S. – over 60% of all residents aged 16 and older. At 18 million, California ranked second only to Florida in terms of the overall number of participants engaged in marine recreation. Most of the NSRE recreational activities involve watching wildlife either directly (bird and animal watching) or indirectly (visiting beaches or coastal areas, kayaking/canoeing, diving/snorkeling, photographing scenery). These statistics reflect the fact that the California coast offers some of the best opportunities in the world to view coastal and marine wildlife in a variety of habitats. These habitats include coastal estuaries, sandy beaches, rocky shores, tide pools, kelp forests, open waters, and offshore islands and rocks. The waters off California are among the most productive in the world and host an impressive variety of marine mammals, fish, turtles, seabirds and invertebrates. Observing wildlife in their natural habitat is one of life's great pleasures.

¹ National Survey on Recreation and the Environment. 2000. Activities include: bird watching, viewing wildlife (other than birds), viewing or photographing scenery, beach visitation, Visiting Watersides Besides Beaches, SCUBA diving, snorkeling, kayaking and canoeing. View report at <http://marineeconomics.noaa.gov/>.

Since 1980, more and more people have been seeking opportunities to view and experience marine wildlife. For the most part, wildlife viewing has resulted in many positive benefits including new economic opportunities for local communities and increased public awareness and stewardship of marine resources. There is growing evidence, however, that marine wildlife can be disturbed and/or injured when viewing activities are conducted inappropriately.

Scientists have documented incidences of marine life being harmed or disturbed by people, often unintentionally. For example:

- Seabird chicks abandoned by their parents after frequent close approaches,
- Nearshore habitats damaged from grounded boats or dropped anchors,
- Boating activities causing disturbances at seabird nesting colonies,
- Loss of feeding and nursery areas as a result of trampling of dune or intertidal habitats,
- Dolphins, whales and sea otters hit or harassed by inattentive boaters,
- Shore birds, sea turtles, and marine mammals disrupted by uncontrolled pets,
- Wildlife injured or sickened by ingesting human food, fishing hooks, nets, garbage, and other manmade debris.

Public awareness is necessary to effectively address wildlife disturbance issues. While it has been well established that it is harmful and dangerous to closely approach, handle or feed terrestrial wildlife (*e.g.*, bears, deer, raccoons, nesting birds, etc.), many people do not yet seem to understand that these concerns also apply to marine wildlife.

HANDBOOK ORGANIZATION:

This handbook starts with general guidelines that can be practiced by naturalists of all levels. These basic principles can be taught to adults and children. The general guidelines are followed by guidelines specific to certain habitats and species. These guidelines are directed towards individuals, commercial tour operators, whale-watch boat operators, kayak tour companies, air-based ecotourism companies, film companies, and other professional organizations involved with wildlife viewing. Federal laws and regulations pertaining to marine wildlife can be found beginning on page 24.

The last section of the handbook includes descriptions of agencies involved in the protection of marine wildlife and a list of contacts for reporting marine mammal strandings, oil spills, and other events of concern for marine wildlife. Images of wildlife frequently observed in the marine environment are distributed throughout the handbook. For detailed information about California's marine wildlife, look for identification and guidebooks in local bookstores, libraries, and natural history museums.

GENERAL GUIDELINES:

These marine wildlife viewing guidelines include stewardship principles intended to help inform the public and commercial operators about safe and responsible wildlife viewing practices. They are based upon the premises of the non-profit organization Watchable Wildlife, a partnership of federal and state wildlife agencies and non-profit organizations. NOAA's National Ocean Service, through the National Marine Sanctuary Program, and National Marine Fisheries Service, through the Office of Protected Resources, have worked with the Watchable Wildlife program partners to develop a program specifically for marine species and habitats. The general guidelines are followed by more specific guidelines for individual species and habitats.

Look in the right place...at the right time

These two components are crucial for successful wildlife watching. Many species live only in specific habitats such as estuaries, tide pools, kelp forests or the open ocean, and wildlife may be more sensitive during particular times of year. In addition to seasons, the times of day and tidal cycles are important factors in viewing wildlife. To maximize viewing opportunities, learn about the activity cycles of the species of interest before hand. Also, check with local access restrictions. Some areas may be closed seasonally to protect animals during sensitive times such as breeding and puping.

View/Admire from a distance...for your safety and their protection

Marine wildlife may be very sensitive to human presence. Stay at least 50 yards away from wild animals. If wildlife approaches you, stay calm and slowly back away. Use binoculars, spotting scopes and zoom lenses to get a closer view. Pass with enough distance between you and the animal so they are not affected by your presence. Time spent observing individual animals should be limited to 30 minutes or less, if wildlife reacts to your presence. You might not be the only one viewing the same animal(s) that day. Be aware that cumulative viewing impacts may also occur. Marine wildlife can inflict painful bites or stings and communicate diseases to humans.

Watch for behavioral changes

If a wild animal changes its behavior (i.e., stops feeding, appears nervous or aggressive, changes its direction of travel, raises its head sharply, exhibits a broken wing display, makes direct eye contact, or circles repeatedly), it may be an indication that your presence is disturbing the animal. Step away from the animal and keep withdrawing until it returns to what you believe is it's "normal" or undisturbed behavior.

Do not touch a wild animal even if it appears to be sick, injured, or orphaned

Wildlife that appears to be sick or injured may actually be resting. This is particularly true for seals and sea lions. Young birds and mammals that seem orphaned may have parents that are foraging, resting, or observing nearby. Closely approaching these animals may interfere with parental care. If you see an animal that you believe is injured or orphaned, contact local wildlife authorities for assistance and advice.

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Never feed wild animals

Feeding wildlife is known to be harmful. It can deprive the young from learning important survival skills, cause sickness or death from ingesting unnatural or contaminated food items, and habituate wild animals to humans, which can be dangerous to both wildlife and people. Feeding wild marine mammals is illegal under the Marine Mammal Protection Act. By doing so, you may receive a citation or be fined.

Do not attempt to attract wildlife

Calls, whistles, recordings, decoys, chumming and feeding may disturb and confuse wildlife and interfere with their communication or natural behaviors.

Leave pets at home

Pets may startle, chase, and even kill wildlife. Likewise, pets can be injured or killed by a threatened or disturbed wild animal. Diseases can be transmitted between some wild and domestic species, particularly between dogs and seals or sea lions. Pet owners can be held liable for their pet's actions.

Respect the habitat and other wildlife viewers.

Move slowly and quietly and keep on designated trails to protect habitat and avoid trampling vegetation, disturbing wildlife, and contributing to erosion. When on the water, respect the rights of other boaters while avoiding harassment of wildlife.

Never get between wildlife and an escape route.

Marine mammals can become dangerous when they feel trapped. Always provide a safe exit path for wildlife.

Respect the rights of landowners.

Get permission before entering private property to view wildlife.

Consider the “other animals”

Often naturalists can become so absorbed with the individual animal they are watching, it is possible to forget about the other animals in the area that can be affected by human presence.

Sit quietly and look closely, you'll see much more

For your safety, never turn your back on the ocean, it is unpredictable and can be dangerous

Take only memories and leave only footprints.

Dispose of trash properly. You can make a big difference by picking up plastic you see floating in the water or on the beach (be sure not to disturb marine life when doing this). Marine animals can get entangled in plastic items or mistake them for food. Always stow your trash for disposal in port. Avoid the temptation to collect souvenirs such as live shells, sea stars, and sand dollars.

Guidelines Specific to Water-Based Viewing

- Remain at least 100 yards (300 ft) away from whales and established pinniped rookeries/haulouts.
- Remain at least 50 yards away from marine animals including dolphins, porpoises, pinnipeds, sea otters and free swimming sea turtles.
- Marine mammals and sea turtles should not be encircled or trapped between vessels, or between vessels and shore.
- Avoid following behind or directly approaching in front of the animal(s). Vessels should attempt to parallel an animal's course, not operate at speeds faster than the animal(s) and maintain a constant speed.
- When several vessels are in an area, communicate with other vessel operators to minimize disturbance to marine mammals. Wait your turn from a distance and then approach cautiously after other vessels have left the area.
- If approached by a marine mammal or sea turtle, stop paddling or put the engine in neutral and allow the animal to pass. Do not engage propellers until the animal(s) are observed at the surface and clear of the vessel.
- Should dolphins or porpoises choose to ride the bow wave of your vessel, reduce speed gradually as necessary and avoid sudden course changes.
- When entering/leaving marine mammal or sea turtle habitat, post a look out, reduce speed and be cautious. Marine animals may surface at unpredictable locations.
- Non-motorized vessels, such as kayaks, may especially startle marine animals that may not be aware of the vessel's presence.
- Do not closely approach a marine mammal or sea turtle when swimming or diving.
- Do not feed, touch, ride or swim with marine mammals or sea turtles.



Guidelines Specific to Land-Based Viewing

- Always remain at least 100 yards from established pinniped haulouts/rookeries on off shore islands and on the mainland.
- Remain at least 50 yards (150 feet) from stranded cetaceans, pinnipeds and sea turtles. If you see a stranded animal, call the appropriate authority (see contacts list on pages 44-46).
- When approaching a marine mammal that is hauled out on land, stop before it becomes aware of your presence.



Guidelines Specific to Air-Based Viewing

- Aircraft should not fly lower than 1,000 feet while within a horizontal distance of 100 yards from a marine mammal or sea turtle, or less than 1,000 feet over waters within 1 nautical mile of any Areas of Special Biological Significance (ASBS), such as the Farallon Islands and Bolinas Lagoon (see page 43).
- Buzzing, hovering, landing, taking off, and taxiing near animals on land or in the water is likely to result in illegal harassment.

Guidelines Specific to Sea Otters

- Sea otters must rest about half the day to stay healthy. Otter mothers and pups need more rest time than other animals. Please respect an otter's need for sleep and keep your distance. If you approach a sea otter on a kayak, surfboard, or boat and the animal dives as a result of your approach, you have caused a disturbance that could result in a citation or a fine.



Toothed Whales (Odontoceti):

- Bottlenose Dolphin (*Tursiops truncatus*)
- Dall's Porpoise (*Phocoenoides dalli*)
- Harbor Porpoise (*Phocoena phocoena*)
- Long-Beaked Common Dolphin (*Delphinus capensis*)
- Pacific White-Sided Dolphin (*Lagenorhynchus obliquidens*)
- Risso's Dolphin (*Grampus griseus*)
- Short-Beaked Common Dolphin (*Delphinus delphis*)
- Sperm Whale (*Physeter macrocephalus*)



Bottlenose Dolphin (*Tursiops truncatus*):

One of the most recognized members of the dolphin family, the bottlenose dolphin grows up to 13 feet (4 m) in length, has a dark gray back with lighter gray sides and a white to pink belly, and a tall, curved dorsal fin. The bottlenose dolphin is found in temperate and tropical waters, usually within 20 miles (32 km) of shore and around islands, extending seaward of the continental shelf and it is found from Southern California to San Francisco.



Seals and Sea Lions (Pinnipeds):

California Sea Lion (*Zalophus californianus*)

Harbor Seal (*Phoca vitulina*)

Northern Elephant Seal (*Mirounga angustirostris*)

Northern Fur Seal (*Callorhinus ursinus*)

Steller Sea Lion (*Eumetopias jubatus*)

California Sea Lion (*Zalophus californianus*):

The California sea lion ranges in color from a chocolate brown in males to a lighter, golden brown in females. Males may reach 1,000 pounds (373 kg) and 7 feet (2.1 m) in length and females grow to over 220 pounds (82 kg) and up to 6 feet (1.8 m) in length. California sea lions are very social animals and often rest in groups closely packed together at favored haul-out sites on islands, offshore rocks or land. They often float together on the ocean's surface in "rafts." From land, they can be viewed or even heard from coastal bluffs and beaches and



have even taken up residence in more populated areas such as Pier 39 in San Francisco.

Harbor Seal (*Phoca vitulina*):

A widespread species in both the North Atlantic and North Pacific oceans, harbor seals are found year-round in California's coastal waters. They haul out of the water regularly to rest, usually in association with the tides. Harbor seals give birth and nurse their pups on offshore rocks and isolated sandy beaches. Reefs, sand and gravel beaches, and sand and mud bars are commonly used for haul-out sites. Adult harbor seals can reach up to



6 feet (1.8 m) in length and weigh up to 300 pounds

(112 kg) with males slightly larger than females. The pupping season occurs between late February and June.





Northern Elephant Seal (*Mirounga angustirostris*):

The largest seal in the northern hemisphere, the enormous male northern elephant seal, known for its long drooping nose (proboscis), can grow to 16 feet (4.8 m) in length and weigh up to 5,000 pounds (1866 kg). The females are

much smaller at 9 to 12 feet (2.7 to 3.6 m) in length and vary from 900 to 1,800 pounds (336 to 448 kg). Northern elephant seals are found from Baja California, Mexico to the Gulf of Alaska and Aleutian Islands. During the breeding season, they live on offshore islands and a few remote spots on the California coast. The rest of the year, except for molting periods, the elephant seal lives up to 5,000 miles (8,04 km) offshore and commonly descends to over 5,000 feet (1524 meters) below the ocean's surface. Visitors can view the bulls



fighting for dominance or protecting harems, and females nursing pups during the breeding season from December through March along coastal areas at Año Nuevo, San Simeon, and Point Reyes National Seashore.



Sea Otters (Mustelids):

Southern Sea Otter (*Enhydra lutris*):

Sea otters are members of the weasel or mustelid family. They are the smallest marine mammals with females weighing up to 60 pounds (22 kg) and males reaching up to 90 pounds (33 kg). In California, they concentrate in central coastal waters from Half Moon Bay to Point Conception and San Nicolas Island. Within this range, the sea otters prefer shallow waters and places with kelp to help anchor them while resting. They feed on nearshore shellfish including crabs, snails, sea urchins, sea stars, clams and abalone.



Sea Turtles:

Green Turtle/Black Turtle (*Chelonia mydas*)

Leatherback Turtle (*Dermochelys coriacea*)

Loggerhead Turtle (*Caretta caretta*)

Olive Ridley (*Lepidochelys olivacea*)

Green Turtle/Black Turtle (*Chelonia mydas*):

Most green turtles found in California waters are probably hatched on beaches and offshore islands in southern Mexico, afterwards spending time in bays and estuaries in the Gulf of California and the Pacific Ocean. Green turtles are found throughout the North Pacific, in the eastern North Pacific, and in the eastern portion of the waters from Baja California to southern Alaska. They can also be found at many tropical islands in the central Pacific. They can measure over 3 feet (0.9 m) in length and weigh close to 400 pounds (149 kg). Their smooth carapace varies in colors of green, gray, brown and black. Sexual maturity is reached at 20-50 years. Green turtles are predominantly a coastal species, feeding primarily on benthic algae and sea grass as well as the occasional invertebrate.



Leatherback Turtle (*Dermochelys coriacea*):

The largest and most endangered of all the sea turtles in California, this species roams throughout the world's temperate oceans and nests on beaches in tropical areas throughout the world, including the southern U.S, the Caribbean, Central and South America, and Indonesia. They are the largest living turtle with a rubber-like texture to the carapace made primarily of tough, oil-saturated connective tissue. In the adult, the skin is black and scaleless, and the undersurface is mottled pinkish-white and black. The front flippers are proportionally longer than in any other sea turtle, and may span close to 9 feet (2.7 m) in an adult. Leatherbacks originating from Western Pacific nesting beaches (ie: Indonesia, Solomon Islands and Malaysia) are believed to travel across the Pacific feeding on swarms of jellyfish, their preferred prey. The highest numbers of leatherbacks found off the California coast occur off Central California in late summer and early fall.



GUIDELINES FOR VIEWING SEABIRDS AND SHOREBIRDS:

Over 160 species of seabirds, shorebirds and waterfowl visit, feed, nest, and roost along the California coast. Faraway visitors like sooty shearwaters migrate over 10,000 miles from waters off New Zealand. For some species, the sanctuaries serve as their only nesting sites, or as the northern or southern extent of their ranges. Coastal California includes a variety of habitats including the open water, rocky shore, sandy beaches and wetlands. Seabirds and shorebirds nest, feed, migrate and rest throughout these habitats. Please follow the guidelines below when visiting bird habitats.

- Avoid the use of recordings and other methods of attracting birds. These can confuse birds and actually inhibit proper mating practices. Although professional biologists may use this method for study, it is only done so under controlled and monitored conditions.
- Keep your distance from nests, nesting colonies, roosts and important feeding sites. If you observe birds bobbing their heads, demonstrating distressed behavior or fleeing from their nests or roosts, you are too close. Disturbing bird nesting colonies is a violation of Sanctuary regulations and can result in a citation or fine.
- Use artificial light sparingly for filming or photography. Flash photography in breeding colonies can cause mass flushing and other disturbances.
- When beach-walking watch for and avoid ground-nesting birds (especially waders and terns) and nesting shorebirds. The federally protected snowy plover and least tern nesting grounds are usually signed and fenced. Stay out of nesting areas for these and other birds.
- Keep dogs, horses and human activity away from shorebird nesting nesting beaches. Dogs can chase birds and cause nest abandonment, horses can inadvertently crush nest sites, and human activity can unintentionally cause nest crushing and abandonment.
- Avoid the use of recreational vehicles in areas where shorebirds may be nesting.
- Never feed seabirds. Seabirds can adapt to humans providing food for them and become less reliant on their own instincts, which they need for survival. People will not always be around.
- Take your trash away with you when you go. Seabirds can mistake trash for food or can become entangled in debris.



Open Ocean Birds:

Ashy Storm-Petrel (*Oceanodroma homochroa*)
 Black-footed Albatross (*Phoebastria nigripes*)
 Black Storm-Petrel (*Oceanodroma melania*)
 Brandt's Cormorant (*Phalacrocorax pencillatus*)
 Buller's Shearwater (*Puffinus bulleri*)
 Cassin's Auklet (*Ptychoramphus aleauticus*)
 Common Murre (*Uria aalge*)
 Leach's Storm-Petrel (*Oceanodroma leucorhoa*)
 Northern Fulmars (*Fulmarus glacialis*)
 Pink Footed Shearwater (*Puffinus creatopus*)
 Rhinoceros Auklet (*Cerorhinca monocerata*)
 Sooty Shearwater (*Puffinus griseus*)

Sooty Shearwater (*Puffinus griseus*):

Sooty shearwaters are commonly found on the open ocean. They are members of the Procellariidae family, known as the "tube-noses". All the birds in this family have a prominent tube on the top of their bill that excretes extra salt from the bird's body. Shearwaters look similar to northern fulmars, but are much darker and have thinner, more pointed wings and a generally slimmer appearance. These birds breed only in the southern hemisphere and come to our warmer summer waters during their southern wintertime. They can dive up to 33 feet (10 m) below the ocean's surface and feed on small crustaceans and fish.



Coastal Birds:

Brown Pelican (*Pelecanus occidentalis*)
 California Gull (*Larus californicus*)
 Caspian Tern (*Sterna caspia*)
 Double-Crested Cormorant (*Phalacrocorax auritus*)
 Marbled Murrelet (*Brachyramphus marmoratus*)
 Pacific Loon (*Gavia pacifica*)
 Pelagic Cormorant (*Phalacrocorax pelagicus*)
 Phalarope (*Phalaropus spp*)
 Pigeon Guillemot (*Cephus columba*)
 Surf Scoter (*Melanitta perspicillata*)
 Western Grebe (*Aechmophorus occidentalis*)
 Western Gull (*Larus occidentalis*)
 White-Winged Scoter (*Melanitta fusca*)
 Xantus's Murrelet (*Synthliboramphus hypoleucus*)

Common Murre (*Uria aalge*):

Common murre are 14 inches (35 cm) long black and white birds that come to land only to nest and spend the rest of their year offshore. Nesting in colonies on cliffs or among boulders and rocks, common murre attempt breeding for the first time at five or six years old and lay only one egg. It is thought that the difficulty of finding food is the reasoning behind their small clutch size. Both parents take turns incubating the egg for approximately one month. They will fly 150 miles (241 km) from the nest to find food for their chicks, and may dive as deep as 1,082 feet (330 meters) for food. Murre feed their chicks three to five fish a day. Adults eat mostly fish but they may also consume zooplankton and squid.



Brown Pelican (*Pelecanus occidentalis*):

The endangered California brown pelican is a large, ungainly looking grayish-brown seabird with a light head, brown neck, and long pouched bill. Immature birds are mostly brown all over, with a brown head. An adult can weigh up to 10 pounds (3.7 kg) and have a wingspan of up to 7 feet (2.1 m). They are elegant fliers, often cruising just over the tops of the breakers in a single file formation, alternately flapping and gliding. Brown Pelicans are frequently seen plunge-diving from heights of up to 20-60 feet (6-18 m) to capture fish.



Shorebirds Birds:

- Black Oystercatcher (*Haematopus bachmani*)
- Great Blue Heron (*Ardea herodias*)
- Great Egret (*Ardea alba*)
- Killdeer (*Charadrius vociferus*)
- Long-billed Curlew (*Numenius americanus*)
- Marbled Godwit (*Limosa fedoa*)
- Sandpipers, Western and Least (*Calidris* spp)
- Snowy Egret (*Egretta thula*)
- Snowy Plover (*Charadrius alexandrinus*)
- Willet (*Catoptrophorus semipalmatus*)

Western Snowy Plover (*Charadrius alexandrinus*):

The diminutive western snowy plover is easy to miss. The light gray back, white underside, and black patches on the head and neck blend well with the sandy shoreline. Solitary during the breeding season, they cluster in small flocks along coastal beaches during the winter.



Adults average 6- 1/2 inches (16.5 cm) long from beak to tail and their average life span is approximately 3 years.

The Pacific coast snowy plover breeds above the high tide line, including coastal beaches, sparsely vegetated dunes, alongside creek and river mouths and near lagoons and estuaries. It is a federally threatened species. Since 1977, numbers have dropped dramatically, to a current estimate of fewer than 2,000 birds.

GUIDELINES FOR VIEWING MARINE INVERTEBRATES IN TIDEPOLS:

Marine invertebrates are the most diverse and abundant group of organisms in the ocean. The grouping is defined as a group of animals found in the marine environment that lack a vertebral column. These include sponges, coral, bryozoans, jellyfishes and tunicates, mollusks, worms, bivalves and arthropods. This incredible array of animals is found within all of the marine habitats of California including kelp forests, sea grass meadows, rocky shelves, boulder beaches, tidepools, rubble piles and sand flats. Below are guidelines for viewing invertebrates in tidepools.



- Step carefully and avoid disturbing the animals.
- Find footholds on bare rock. This way you'll avoid slipping as well as stepping on the animals that cling to these surfaces.
- Please be very gentle with any marine species that you touch and leave the animals, plants, shells and rocks exactly where you find them. Never hold tidepool animals in your hand (use a clear box or jar instead), they may dry out and die from handling.
- Many coastal parks and protected areas have rules that prohibit removing living or dead souvenirs such as shells, sea stars, urchins, sand dollars, etc.
- If you want to peek under a rock, put it back the way it was when you're done. Leaving a rock "belly-up" is an almost sure way to kill any animals that were living on its underside— not to mention those that dwell on its upper side.



Marine Invertebrates:

Sponges (Phylum Porifera):

Orange Puffball Sponge (*Tethya aurantia*)

Anemones, Jellies, Sea Fans (Phylum Cnidaria):

Aggregating Anemone (*Anthopleura elegantissima*)

Brown Jelly (*Chrysaora fuscescens*)

California Golden Gorgonian (*Muricea californica*)

Club-Tipped Anemone (*Corynactis californica*)

Giant Green Anemone (*Anthopleura xanthogrammica*)

Moon Jelly (*Aurelia aurita*)

Purple Striped Jelly (*Pelagia colorata*)

Red Gorgonian (*Lophogorgia chilensis*)

Giant Green Anemones (*Anthopleura xanthogrammica*):

The giant green anemone inhabits the low to mid intertidal zones of the Pacific Ocean, ranging continuously from Alaska to Point Conception and can be found along sand and rock covered shorelines. It can grow to a column width close to 7 inches (17 cm) and a height over 11 inches (30 cm). The tentacles and column are green but can vary in intensity, ranging from light green in the tentacles to olive green in the column. Stinging cells called cnidocytes are located within the tentacles. These cells, which are benign to humans help the anemone paralyze its prey. Their main food sources are mussels, sea urchins, small fish and crabs.



Spiny Skinned (Phylum Echinodermata):

Bat Star (*Asterina miniata*)

Coronado Urchin (*Centrostephanus coronatus*)

Giant Knobby Star (*Pisaster giganteus*)

Ochre Sea Star (*Pisaster ochraceus*)

Purple Sea Urchin (*Strongylocentrotus purpuratus*)

Red Sea Urchin (*Strongylocentrotus franciscanus*)

Sunflower Star (*Pycnopodia helianthoides*)

Warty Sea Cucumber (*Parastichopus parvimensis*)

Bat Star (*Asterina miniata*):

The bat star can be found along the Pacific coast from Alaska south to Mexico. They can be found in the subtidal region to a depth of about 985 feet (300 m) and are numerous in kelp forests. Bat stars are most commonly reddish-orange or mottled white, but can be found in a variety of colors and patterns. They usually have five, sometimes four to nine, short triangular arms. They have a radius of about 4 inches (10 cm) and like all other sea stars, have radial symmetry. Their tube feet allow them to move submerged in water and throughout the subtidal region. The bat star is usually an omnivore or a scavenger feeding by extending its stomach over a great variety of sessile or dead plants and animals. The main predators of sea stars are other sea stars, mollusks, and crustaceans. They avoid being eaten by secreting chemicals used to repel potential predators.



Jointed Appendages (Phylum Arthropoda):

- Barnacle (*Megabalanus californicus*)
- California Spiny Lobster (*Panulirus interruptus*)
- Common Acorn Barnacles (*Balanus glandula*)
- Hermit Crab (*Pugettia producta*)
- Lined Shore Crab (*Pachygrapsus crassipes*)
- Sheep Crab (*Loxorhynchus grandis*)



Soft Footed (Phylum Mollusca):

- Abalone (*Haliotis* spp)
- Black Turban Snail (*Tegula funebris*)
- California Sea Hare (*Aplysia californica*)
- California Sea mussel (*Mytilus californianus*)
- Chestnut Cowry (*Cypraea spadicea*)
- Chitons (Class: Polyplacophora)
- Giant Keyhole Limpet (*Megathura crenulata*)
- Kellett's Whelk (*Kelletia kelletii*)
- Limpets (*Lottia* spp)
- Owl Limpet (*Lottia gigantean*)
- Periwinkles (*Littorina* spp)
- Rock Scallop (*Hinnites giganteus*)
- Spanish Shawl (*Flabellinopsis iodinea*)
- Thick-Horned Aeolid (*Hermisenda crassicornis*)
- Two-Spot Octopus (*Octopus bimaculatus*)
- Wavy Turban Snail (*Astraea undosa*)



GUIDELINES FOR VIEWING FISHES:

This group includes bony fish and cartilaginous fish (sharks, skates, and rays) that live within a variety of habitats including kelp forests, sandy bottoms, open water, and rocky reefs. It is possible for scuba divers to see more than 40 species of fish in a single dive. Sanctuaries provide critical habitat for many recreational and commercially important species, which play an important role in the ecosystem and our economy.

Most of the marine fish viewing is done by divers and snorkelers. The degree of impact from divers depends highly on individual skill level. It is the responsibility of each viewer to learn about the environment they will be diving or snorkeling in. In California, most dives occur in or around kelp forests. The guidelines listed below are only a few things to keep in mind before getting into the water.

- Do not kick up sand with your fins. This not only disrupts the fish habitat but also may disturb species viability. Many fish species lay their eggs in the sand.
- Do not feed or otherwise attract or lure fish to you. Feeding and luring fish encourages behavior that could be harmful to the fish or even to the viewer.
- If you have a guide, ask him/her to give you a briefing on the ecosystem you are about to observe before you dive.



Bony Fish:

Bass

Giant Sea Bass (*Stereolepis gigas*)
Kelp Bass (*Paralabrax clathratus*)

Croaker, Drum and Chub

Halfmoon (*Medialuna californiensis*)
Opaleye (*Girella nigricans*)

Damselfish

Blacksmith (*Chromis punctipinnis*)
Garibaldi (*Hypsypops rubicundus*)
Albacore (*Thunnus alalunga*)

Eels

California Moray Eel (*Gymnothorax mordax*)

Flatfish

California Halibut (*Paralichthys californicus*)
C-O Turbot (*Pleuronichthys ceonosus*)

Gobies

Blackeye Goby (*Coryphopterus nicholsi*)
Bluebanded Goby (*Lythrypnus dalli*)

Rockfish:

Blue Rockfish (*Sebastes mystinus*)
 Bocaccio Rockfish (*Sebastes paucispinis*)
 Canary Rockfish/Red Snapper (*Sebastes pinniger*)
 Gopher Rockfish (*Sebastes carnatus*)
 Kelp Rockfish (*Sebastes atrovirens*)
 Treefish (*Sebastes serriceps*)
 Vermillion Rockfish (*Sebastes miniatus*)

Sculpin & Scorpionfish:

Cabezon (*Scorpaenichthys marmoratus*)
 California Scorpionfish (*Scorpeaena guttata*)
 Thorny Sculpin (*Icelus spiniger*)

Surfperch:

Black Perch/ Surfperch (*Embiotoca jacksoni*)

Silvery Swimmers:

Northern Anchovy (*Engraulis mordax*)
 Ocean Whitefish (*Caulolatilus princeps*)
 Pacific Herring (*Clupea pallasii*)
 Pacific Sardine (*Sardinops sagax*)

Tuna & Mackerel:

Bluefin Tuna (*Thunnus thymus*)
 Jack Mackerel (*Trachurus symmetricus*)
 Yellowfin Tuna (*Thunnus albacares*)

Wrasse:

California Sheephead (*Semicossyphus pulcher*)
 Rock Wrasse (*Halichoeres semicinctus*)
 Senorita (genus species)

Other:

California Grunion (*Leuresthes tenuis*)
 Lingcod (*Ophiodon elongates*)
 Ocean Sunfish (*Mola mola*)
 California Barracuda (*Sphyraena argentea*)

Garibaldi (*Hypsypops rubicundus*):

Garibaldi are found from Magdalena Bay (on the Pacific coast of Baja California) to Monterey Bay (central California) and the surrounding areas of the Channel Islands. They are typically found in the upper 98 feet (30 m) of the water column, along coastal reefs and among kelp forests. Juveniles are typically less than 13 inches (34 cm) in length and are reddish orange-yellow with bright blue spots. Adult garibaldi can grow to be nearly 17 inches (43 cm) long. The longevity of a garibaldi is, on average, between 13 and 18 years. Adult garibaldi display a bright, golden orange color. This bright orange color is distinctive from all other fish in this area off the coast of California, and is thought to be a type of warning to other males, indicating that the garibaldi are territorial. Mussels, sponges, small fish, snails and snail eggs, algae, worms, shrimp, crustaceans and crabs are among their favorite food.



Rockfishes:

All rockfish belong to the family Scorpaenidae and more than 50 species of rockfish live in California waters. They usually frequent rocky habitats and are fairly sedentary and rarely move from place to place. Rockfish have a bass-like shape with large lower jaws, large eyes, and prominent spines in the front of the dorsal fins. They also have bony extensions from the eyes and gill slits. Rockfish are hard to identify because they undergo so many color phases.



Cartilaginous Fish:

- Bat Ray (*Myliobatis californica*)
- Blue Shark (*Prionace glauca*)
- Horn Shark (*Heterodontus francisci*)
- Leopard Shark (*Triakis semifasciata*)
- Pacific Angel Shark (*Squatina californica*)
- Pacific Electric Ray (*Torpedo californica*)
- Pacific Stingray (*Dasyatis violacea*)
- Swell Shark (*Cephaloscyllium ventriosum*)
- Thornback Ray (*Platyrrhinoidis triseriata*)
- Thresher Shark (*Alopias vulpinus*)
- White Shark (*Carcharodon carcharias*)

White Shark (*Carcharodon carcharias*):

The white shark can be found in coastal and offshore waters where the sea surface temperatures range between 50 and 75 degrees Fahrenheit (10 and 24 C). They may come close to shore as well as occur off oceanic islands living in surface waters and to depths of 700 meters. Its preferred food includes a wide variety of bony and cartilaginous fishes when young, and fish, marine mammals and dead whales when older. They may grow to 20 feet (6 m) and nearly 7,000 pounds (2613 kg). The white shark is a sensitive species with an extremely slow reproductive rate and low populations world wide.



MORE INFORMATION ON CALIFORNIA'S MARINE WILDLIFE:

To find out more about California's marine wildlife, visit your local library or the following websites:

For marine mammals- The Marine Mammal Center at www.tmmc.org

For sea turtles- NOAA's Southwest Fisheries Science Center at <http://swfsc.ucsd.edu/prd/Seaturtle>

For seabirds and shorebirds- Pacific Seabird Group at www.pacificseabirdgroup.org

For white sharks- Point Reyes Bird Observatory Conservation Science at www.prbo.org

For tidepool life including fish, cephalopods and marine invertebrates- California Academy of Sciences at
www.calacademy.org

FEDERAL LAWS AND REGULATIONS

These excerpts from the United States Endangered Species Act, the United States Marine Mammal Protection Act and "the United States Code of Federal Regulations" are provided for information only. Before relying on any portion of the Act as it appears here, reference should be made to the official report of the Act in the United States Code. NOAA Fisheries is responsible for conservation, recovery and enforcement activities for most marine species under this statute.

ENDANGERED SPECIES ACT OF 1973

[As amended through 1994]

CONGRESSIONAL FINDINGS AND DECLARATIONS OF PURPOSES AND POLICY (16 U.S.C. 1531)

(a) Findings - The Congress finds and declares that -

- (1) various species of fish, wildlife, and plants in the United States have been rendered extinct as a consequence of economic growth and development untempered by adequate concern and conservation;
- (2) other species of fish, wildlife, and plants have been so depleted in numbers that they are in danger of or threatened with extinction;
- (3) these species of fish, wildlife, and plants are of esthetic, ecological, educational, historical, recreational, and scientific value to the Nation and its people;

(b) Purposes

The purposes of this Act are to provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved, to provide a program for the conservation of such endangered species and threatened species, and to take such steps as may be appropriate to achieve the purposes of the treaties and conventions set forth in subsection (a) of this section.

(c) Policy

(1) It is further declared to be the policy of Congress that all Federal departments and agencies shall seek to conserve endangered species and threatened species and shall utilize their authorities in furtherance of the purposes of the Act.

(2) It is further declared to be the policy of Congress that Federal agencies shall cooperate with State and local agencies to resolve water resource issues in concert with conservation of endangered species.

DEFINITIONS (16 U.S.C. 1532)

For purposes of this Act -

(6) The term “endangered species” means any species which is in danger of extinction throughout all or a significant portion of its range—

(8) The term “fish or wildlife” means any member of the animal kingdom, including without limitations any mammal, fish, bird (including any migratory, nonmigratory, or endangered bird for which protection is also afforded by treaty or other international agreement), amphibian, reptile, mollusk, crustacean, arthropod, or other invertebrate, and includes any part, product, egg, or offspring thereof, or the dead body or parts thereof.

(19) The term “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

(20) The term “threatened species” means any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

PROHIBITED ACTS (16 U.S.C. 1538)

(a) Generally

(1) Except as provided in sections 1535(g)(2) and 1539 of this Act, with respect to any endangered species of fish or wildlife listed pursuant to section 1533 of this Act it is unlawful for any person subject to the jurisdiction of the United States to—

(A) import any such species into, or export any such species from the United States;

- (B) take any such species within the United States or territorial sea of the United States;
- (C) take any such species upon the high seas;
- (D) possess, sell, deliver, carry, transport, or ship, by any means whatsoever, any such species taken in violation of subparagraphs (B) and (C);
- (E) deliver, receive, carry, transport, or ship in interstate or foreign commerce, by any means whatsoever and in the course of commercial activity, any such species;
- (F) sell or offer for sale in interstate or foreign commerce any such species; or
- (G) violate any regulation pertaining to such species or to any threatened species of fish or wildlife listed pursuant to section 1533 of this title and promulgated by the Secretary pursuant to authority provided by this chapter.

U.S. CODE OF FEDERAL REGULATIONS TO IMPLEMENT THE ENDANGERED SPECIES ACT (50 CFR)

Subpart A (Introduction and General Provisions)

222.101 Purpose and scope of regulations

(a) The regulations of parts 222, 223, and 224 of this chapter implement the Endangered Species Act (Act), and govern the taking, possession, transportation, sale, purchase, barter, exportation, importation of, and other requirements pertaining to wildlife and plants under the jurisdiction of the Secretary of Commerce and determined to be threatened or endangered pursuant to section 4(a) of the Act. These regulations are implemented by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce. This part pertains to general provisions and definitions. Specifically, parts 223 and 224 pertain to provisions to threatened species and endangered [[Page 78]] species, respectively. Part 226 enumerates designated critical habitat for endangered and threatened species. Certain of the endangered and threatened marine species enumerated in Secs. 224.102 and 223.102 are included in Appendix I or II to the Convention on International Trade of Endangered Species of Wild Fauna and Flora. The importation, exportation, and re-exportation of such species are subject to additional regulations set forth at 50 CFR part 23, chapter I.

(b) For rules and procedures relating to species determined to be threatened or endangered under the jurisdiction of the Secretary of the Interior, see 50 CFR parts 10 through 17. For rules and procedures relating to the general implementation of the Act jointly by the Departments of the Interior and Commerce and for certain species under the joint jurisdiction of both the Secretaries of the Interior and Commerce, see 50 CFR Chapter IV. Marine mammals listed as endangered or threatened and subject to these regulations may also be subject to additional requirements pursuant to the Marine Mammal Protection Act (for regulations implementing that act, see 50 CFR part 216).

(c) No statute or regulation of any state shall be construed to relieve a person from the restrictions, conditions, and requirements contained in parts 222, 223, and 224 of this chapter. In addition, nothing in parts 222, 223, and 224 of this

chapter, including any permit issued pursuant thereto, shall be construed to relieve a person from any other requirements imposed by a statute or regulation of any state or of the United States, including any applicable health, quarantine, agricultural, or customs laws or regulations, or any other National Marine Fisheries Service enforced statutes or regulations.

222.102 Definitions

Authorized officer means:

- (1) Any commissioned, warrant, or petty officer of the U.S. Coast Guard;
- (2) Any special agent or enforcement officer of the National Marine Fisheries Service;
- (3) Any officer designated by the head of a Federal or state agency that has entered into an agreement with the Secretary of Commerce or Commandant of the Coast Guard to enforce the provisions of the Act; or
- (4) Any Coast Guard personnel accompanying and acting under the direction of any person described in paragraph (1) of this definition.

Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect.

Harm in the definition of “take” in the Act means an act which actually kills or injures fish or wildlife. Such an act may include significant habitat modification or degradation which actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, spawning, rearing, migrating, feeding or sheltering.

SUBPART C (GENERAL PERMIT PROCEDURES)

222.301 General requirements

(b) No person shall take, import, export, or engage in any other prohibited activity involving any species of fish or wildlife under the jurisdiction of the Secretary of Commerce that has been determined to be endangered under the Act, or that has been determined to be threatened and for which the prohibitions of section 9(a)(1) of the Act have been applied by regulation, without a valid permit issued pursuant to these regulations. The permit shall entitle the person to whom it is issued to engage in the activity specified in the permit, subject to the limitations of the Act and the regulations in parts 222, 223, and 224 of this chapter, for the period stated on the permit, unless sooner modified, suspended or revoked.

MARINE MAMMAL PROTECTION Act of 1972

[As amended through 1994]

Findings and Declarations of Policy (16 U.S.C. 1361)

The United States Congress finds that –

(1) certain species and population stocks of marine mammals are, or may be, in danger of extinction or depletion as a result of man’s activities;

(2) such species and population stocks should not be permitted to diminish beyond the point at which they cease to be a significant functioning element in the ecosystem of which they are a part, and, consistent with this major objective, they should not be permitted to diminish below their optimum sustainable population. Further measures should be immediately taken to replenish any species or population stock which has already diminished below that population. In particular, efforts should be made to protect essential habitats, including the rookeries, mating grounds, and areas of similar significance for each species of marine mammal from the adverse effect of man’s actions;

(6) marine mammals have proven themselves to be resources of great international significance, esthetic, recreational, as well as economic, and it is the sense of the Congress that they should be protected and encouraged to develop to the greatest extent feasible commensurate with the sound policies of resource management and that the primary objective of their management should be to maintain the health and stability of the marine ecosystem. Whenever consistent with this primary objective, it should be the goal to obtain an optimum sustainable population keeping in mind the carrying capacity of the habitat.

DEFINITIONS (16 U.S.C. 1362)

Sec. 3. For the purposes of this Act -

(6) The term “marine mammal” means any mammal which (A) is morphologically adapted to the marine environment (including sea otters and members of the orders Sirenia, Pinnipedia and Cetacea), or (B) primarily inhabits the marine environment (such as the polar bear); and, for the purposes of this Act, includes any part of any such marine mammal, including its raw, dressed, or dyed fur or skin.

(10) The term “person” includes (A) any private person or entity, and (B) any officer, employee, agent, department, or instrumentality of the Federal Government, of any State or political subdivision thereof, or of any foreign government.

(12) (A) Except as provided in subparagraph (B), the term “Secretary” means -

- (i) The Secretary of the department in which the National Oceanic and Atmospheric Administration is operating, as to all responsibility, authority, funding, and duties under this Act with respect to members of the order Cetacea and members, other than walruses, of the order Pinnipedia -
- (B) in Section 118 and title IV the term “Secretary” means the Secretary of Commerce.
- (13) The term “take” means to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal.
- (15) The term “waters under the jurisdiction of the United States” means -
 - (A) the territorial seas of the United States;
 - (B) the waters included within a zone, contiguous to the territorial sea of the United States, of which the inner boundary is a line coterminous with the seaward boundary of each coastal State, and the outer boundary is a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the territorial sea is measured;
- (18) (A) The term “harassment” means any act of pursuit, torment, or annoyance which -
 - (i) has the potential to injure a marine mammal or marine mammal stock in the wild; or
 - (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering.
- (B) The term “Level A harassment” means harassment described in subparagraph (A) (i).
- (C) The term “Level B harassment” means harassment described in subparagraph (A) (ii).

PROHIBITIONS (16 U.S.C. 1372)

Sec. 102. (a) [Taking] — Except as provided by certain sections of this title I and title IV, it is unlawful—

- (1) for any person subject to the jurisdiction of the United States or any vessel or other conveyance subject to the jurisdiction of the United States to take any marine mammal on the high seas;
- (2) except as expressly provided for by an international treaty, convention, or agreement to which the United States is a party and which was entered into before the effective date of this title or by any statute implementing any such treaty, convention, or agreement—
 - (A) for any person or vessel or other conveyance to take any marine mammal in waters or on lands under the jurisdiction of the United States; or
 - (B) for any person to use any port, harbor, or other place under the jurisdiction of the United States to take or

import marine mammals or marine mammal products; and

- (3) for any person, with respect to any marine mammal taken in violation of this title, to possess that mammal or any product from that mammal;

- (4) for any person to transport, purchase, sell, export, offer to purchase, sell, or export any marine mammal or marine mammal product—
- (A) that is taken in violation of this Act; or
 - (B) for any purpose other than public display, scientific research, or enhancing the survival of a species or stock as provided for under subsection 104(c); and
- (5) for any person to use, in a commercial fishery, any means or methods of fishing in contravention of any regulations or limitations, issued by the Secretary for that fishery to achieve the purposes of this Act.

UNITED STATES CODE OF FEDERAL REGULATIONS TO IMPLEMENT THE MARINE MAMMAL PROTECTION ACT (50 CFR)

PART 216 - REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS

Subpart A - Introduction

216.1 PURPOSE OF REGULATIONS

The regulations in this part implement the Marine Mammal Protection Act of 1972, which among other things, restricts the taking, possession, transportation, selling, offering for sale, and importing of marine mammals.

216.3 DEFINITIONS

In addition to definitions contained in the Act, and unless the context otherwise requires, in this part 216:

Feeding is offering, giving, or attempting to give food or non-food items to marine mammals in the wild. It includes operating a vessel or providing other platforms from which feeding is conducted or supported. It does not include the routine discard of by catch during fishing operations or routine discharge of waste or fish by products from fish processing plants or other platforms if the discharge is otherwise legal and is incidental to operation of the activity.

Endangered Species means a species or subspecies of marine mammal listed as “endangered” pursuant to the Endangered Species Act of 1973.

Take means to harass, hunt, capture, collect, or kill, or attempt to harass, hunt, capture, collect, or kill any marine mammal.

This includes, without limitation, any of the following: The collection of dead animals, or parts thereof; the restraint or detention of a marine mammal, no matter how temporary; tagging a marine mammal; the negligent or intentional operation of an aircraft or vessel, or the doing of any other negligent or intentional act which results in disturbing or molesting a marine mammal; and feeding or attempting to feed a marine mammal in the wild.

Threatened Species means a species of marine mammal listed as “threatened” pursuant to the Endangered Species Act of 1973.

216.8 Enforcement officers

Enforcement Agents of the National Marine Fisheries Service shall enforce the provisions of the MMPA and may take any actions authorized by the MMPA with respect to enforcement. In addition, the Secretary of Commerce may utilize, by agreement, the personnel, services, and facilities of any other Federal Agency for the purposes of enforcing this MMPA. Pursuant to the terms of section 107(b) of the MMPA, the Secretary may also designate officers and employees of any State or of any possession of the United States to enforce the provisions of this MMPA.

SUBPART B - PROHIBITIONS

216.11 Prohibited Taking

Except as otherwise provided in subparts C, D, and I of this part 216 or in part 228 or 229, it is unlawful for:

- (a) Any person, vessel, or conveyance subject to the jurisdiction of the United States to take any marine mammal on the high seas, or
- (b) Any person, vessel, or conveyance to take any marine mammal in waters or on lands under the jurisdiction of the United States, or
- (c) Any person subject to the jurisdiction of the United States to take any marine mammal during the moratorium.

NOAA Fisheries Policy on Human Interactions with Marine Mammals in the Wild

The Marine Mammal Protection Act prohibits the “taking” of marine mammals in waters or on land under the jurisdiction of the United States by any person and by U.S. citizens on the high seas. In addition, the MMPA prohibits the importing of marine mammals and marine mammal products into the United States. However, NOAA Fisheries (NMFS) is authorized to issue permits and/or authorizations that authorize the following activities under certain conditions:

- scientific research
- enhancing the survival or recovery of a marine mammal species or stock
- commercial and educational photography
- first-time import for public display
- capture of wild marine mammals for public display
- incidental take during commercial fisheries, and
- incidental take during non-fishery activities.

NOAA Fisheries (NMFS) maintains jurisdiction over whales, dolphins, porpoises, seals and sea lions. The U.S. Fish and Wildlife Service maintains jurisdiction for walrus, polar bears, sea otters, manatees and dugongs. Some species of marine mammals are also protected by the Endangered Species Act (ESA) and the Fur Seal Act (FSA) which may have additional restrictions.

Viewing marine mammals in their natural habitat can be an educational and enriching experience if conducted safely and responsibly. However, when conducted irresponsibly, these activities can be disturbing to the animals (i.e., cause “harassment”) and place their health and welfare at risk. In addition, there are significant public safety considerations as people have been seriously injured while trying to interact with wild marine mammals. The NOAA Fisheries policy on human interactions with wild marine mammals is as follows:

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 cannot 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. NOAA Fisheries believes that such activities constitute “harassment” as defined in the MMPA since they involve acts of pursuit, torment or annoyance that have the potential to injure or disrupt the behavioral patterns of wild marine mammals.

The MMPA prohibits the harassment of marine mammals. The term harassment is defined as “*any act of pursuit, torment or annoyance which – (i) has the potential to injure a marine mammal or marine mammal stock in the wild (Level A harassment); or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering.*”

NOAA Fisheries regulations under the MMPA further prohibit “*the negligent or intentional operation of an aircraft or vessel, or the doing of any other negligent or intentional act which results in disturbing or molesting a marine mammal; and feeding or attempting to feed a marine mammal in the wild.*”

For additional information about NOAA Fisheries’ marine mammal viewing guidelines, policies and regulations, please visit:

http://www.nmfs.noaa.gov/prot_res/MMWatch/MMViewing.html

These excerpts from the United States “National Marine Sanctuaries Act” (NMSA) are provided for information only. Before relying on any portion of the Act as it appears here, reference should be made to the official report of the Act in the United States Code.

THE NATIONAL MARINE SANCTUARIES ACT OF 1972

[As amended by pub. l. 104-283]

SEC. 301 CONGRESSIONAL FINDINGS, PURPOSES, AND POLICIES (16 U.S.C. 1431)

(a) Findings - The Congress finds that -

- (2) certain areas of the marine environment possess conservation, recreational, ecological, historical, research, educational, cultural, archeological, or esthetic qualities which give them special national, and in some instances, international significance;
- (4) a Federal program which establishes areas of the marine environment which have special will conservation, recreational, ecological, historical, cultural, archeological, scientific, educational, or esthetic qualities as national marine sanctuaries managed as the National Marine Sanctuary System;
 - (A) improve the conservation, understanding, management, and wise and sustainable use of marine resources;
 - (B) enhance public awareness, understanding, and appreciation of the marine environment; and
 - (C) maintain for future generations the habitat, and ecological services, of the natural assemblage of living resources that inhabit these areas.

(b) Purposes and Policies - The purposes and policies of this title are -

- (1) to identify and designate as national marine sanctuaries areas of the marine environment which are of special national significance and to manage these areas as the National Marine Sanctuary System;
- (2) to provide authority for comprehensive and coordinated conservation and management of these marine areas, and activities affecting them, in a manner which complements existing regulatory authorities;
- (3) to maintain the natural biological communities in the national marine sanctuaries, and to protect, and, where appropriate, restore and enhance natural habitats, populations, and ecological processes;
- (4) to enhance public awareness, understanding, appreciation, and wise and sustainable use of the marine environment, and the natural, historical, cultural, and archeological resources of the National Marine Sanctuary System;

- (5) to support, promote, and coordinate scientific research on, and long-term monitoring of, the resources of these marine areas;
- (6) to facilitate to the extent compatible with the primary objective of resource protection, all public and private uses of the resources of these marine areas not prohibited pursuant to other authorities;
- (7) to develop and implement coordinated plans for the protection and management of these areas with appropriate Federal agencies, State and local governments, Native American tribes and organizations, international organizations, and other public and private interests concerned with the continuing health and resilience of these marine areas;
- (8) to create models of, and incentives for, ways to conserve and manage these areas, including the application of innovative management techniques; and
- (9) to cooperate with global programs encouraging conservation of marine resources.

SEC. 302 DEFINITIONS

(3) “marine environment” means those areas of coastal and ocean waters, the Great Lakes and their connecting waters, and submerged lands over which the United States exercises jurisdiction, including the exclusive economic zone, consistent with international law;

(8) “sanctuary resource” means any living or nonliving resource of a national marine sanctuary that contributes to the conservation, recreational, ecological, historical, educational, cultural, archeological, scientific, or aesthetic value of the sanctuary;

Sec. 306 Prohibited Activities

It is unlawful to -

- (1) destroy, cause the loss of, or injure any sanctuary resource managed under law or regulations for that sanctuary;
- (2) possess, sell, offer for sale, purchase, import, export, deliver, carry, transport, or ship by any means any sanctuary resource taken in violation of this section;
- (3) interfere with the enforcement of this title; or
- (4) violate any provision of this title or any regulation or permit issued pursuant to this title.

SEC. 307 ENFORCEMENT

(b) Powers of Authorized Officers - Any person who is authorized to enforce this title may -

- (1)** board, search, inspect, and seize any vessel suspected of being used to violate this title;
- (2)** seize wherever found any sanctuary resource taken or retained in violation of this title or any regulation or permit issued under this title;
- (3)** seize any evidence of a violation of this title or of any regulation or permit issued under this title;
- (4)** execute any warrant or other process issued by any court of competent jurisdiction; and
- (5)** exercise any other lawful authority.

U.S. CODE OF REGULATIONS TO IMPLEMENT THE NATIONAL MARINE SANCTUARIES ACT (15 CFR, PART 922) (as they pertain to viewing marine wildlife)

Subpart G— Channel Islands National Marine Sanctuary

922.71 Prohibited or otherwise regulated activities

- (5) Disturbing seabirds or marine mammals by flying motorized aircraft at less than 1000 feet over the waters within one NM of any island except:
- (i) For enforcement purposes;
 - (ii) To engage in kelp bed surveys; or
 - (iii) To transport persons or supplies to or from an Island.

Subpart M— Monterey Bay National Marine Sanctuary

922.132 Prohibited or otherwise regulated activities

- (5) Taking any marine mammal, sea turtle or seabird in or above the Sanctuary, except as permitted by regulations, as amended, promulgated under the Marine Mammal Protection Act, as amended, (MMPA), 16 U.S.C. 1361 et seq., the Endangered Species Act, as amended, (ESA). 16 U.S.C. 1531 et seq., and the Migratory Bird Treaty Act, as amended, (MBTA), 16 U.S.C. 703 et seq.

(6) Flying motorized aircraft, except as necessary for valid law enforcement purposes, at less than 1000 feet above any of the four zones within the Sanctuary described in appendix C to this subpart.

(7) Operating motorized personal water craft within the Sanctuary except within the four designated zones and access routes within the Sanctuary described in appendix D to this subpart.

(8) Possessing within the Sanctuary (regardless of where taken, moved or removed from), except as necessary for valid law enforcement purposes, any historical resource, or any marine mammal, sea turtle or seabird taken in violation of regulations, as amended, promulgated under the MMPA, ESA, or MBTA.

(10) Attracting any white shark in that part of the Sanctuary out to the seaward limit of State waters. For the purposes of this prohibition, the seaward limit of the State waters is a line three nautical miles distant from the coastline of the State, where the coastline is the line of ordinary low water along the portion of the coast in direct contact with the open sea. The coastline for Monterey Bay, which is inland waters, is the straight line marking the seaward limit of the Bay, determined by connecting the following two points: 36°57'6" N, 122°01'45" W and 36°38'16" N, 121°56'3' W.

Subpart H— Gulf of the Farallones National Marine Sanctuary

922.82 Prohibited or otherwise regulated activities

(5) Disturbing seabirds or marine mammals by flying motorized aircraft at less than 1000 feet over the waters within one NM of the Farallon Islands, Bolinas Lagoon, or any ASBS (Areas of Special Biological Significance) except to transport persons or supplies to or from the Islands or for enforcement purposes.

Subpart K— Cordell Bank National Marine Sanctuary

922.111 Prohibited or otherwise regulated activities

(2) Removing, taking or injuring or attempting to remove, take or injure benthic invertebrates or algae located on Cordell Bank or within the 50 fathom isobath surrounding the Bank. There is a rebuttable presumption that any such resource found in the possession of a person within the Sanctuary was taken or removed by that person. This prohibition does not apply to accidental removal, injury or takings during normal fishing operations.

AGENCY DESCRIPTIONS AND AREA DESIGNATIONS:

NOAA (National Oceanic and Atmospheric Administration) National Marine Sanctuary Program

The mission of NOAA's National Marine Sanctuary Program is to serve as the trustee for the nation's system of marine protected areas, to conserve, protect, and enhance their biodiversity, ecological integrity and cultural legacy. Its goals are appropriate to the unique diversity contained within individual sites. They may include restoring and rebuilding marine habitats or ecosystems to their natural condition or monitoring and maintaining already healthy areas. One sanctuary may protect the breeding ground of humpback whales while another houses the remains of historical shipwrecks. Yet all share a growing circle of partners and volunteers who embrace the program's ocean ethic—to preserve and protect and respect our nation's marine environment. (www.sanctuaries.nos.noaa.gov)

Cordell Bank National Marine Sanctuary

Cordell Bank National Marine Sanctuary, designated in 1989, encompasses 526 square miles of open ocean waters with a shoreward boundary six miles from the coast. Cordell Bank is a submerged island that reaches within 120 feet of the ocean surface. The upwelling of nutrient rich ocean waters and the Bank's topography create an extremely productive biological area that supports a lush feeding ground for fish, marine mammals, and seabirds. (www.cordellbank.noaa.gov)

Gulf of the Farallones National Marine Sanctuary

Gulf of the Farallones National Marine Sanctuary is located along the California coast west of the San Francisco Bay. It was designated in 1981 and encompasses 1,255 square miles. The Gulf of the Farallones is rich in marine resources, including spawning grounds and nursery areas for commercially valuable species, at least 36 species of marine mammals, and 15 species of breeding seabirds. One-fifth of California's harbor seals breed within the sanctuary, and the Farallon Islands are home to the largest concentration of breeding seabirds in the contiguous United States. The Sanctuary also includes the coastline up to the mean high tide line and protection of a number of accessible lagoons, estuaries, bays and beaches. (<http://www.gfnms.nos.noaa.gov>)

Monterey Bay National Marine Sanctuary

Monterey Bay National Marine Sanctuary stretches along 276 miles of the central California coast and encompasses 5,328 square miles of coastal and ocean waters. It was designated in 1992 and contains many diverse biological communities, including sandy bottom and rocky outcrop habitats, the nation's largest expanse of kelp forests, one of the deepest underwater canyons in North America, and a vast open ocean habitat. Nutrients from two upwelling centers fuel an abundance of life, from tiny plankton to huge blue whales. This diversity of habitats and marine life has made the Sanctuary a national focus for marine research and educational programs. (<http://www.mbnms.nos.noaa.gov>)

Channel Islands National Marine Sanctuary

Designated in September 1980, Channel Islands National Marine Sanctuary is the nation's 4th largest marine sanctuary. The Channel Islands National Marine Sanctuary is located approximately 5 miles off the coast of Oxnard, California and 25 miles off the coast of Santa Barbara. The Sanctuary encompasses approximately 1,658 square miles of ocean and nearshore-habitat surrounding San Miguel, Santa Rosa, Santa Cruz, Anacapa, and Santa Barbara islands. Sanctuary boundaries extend from mean high tide to six nautical miles offshore each island. This protected marine area provides refuge for 28 species of marine mammals and over 60 species of seabirds. The Sanctuary contains a variety of habitats including sandy beaches, rocky reefs, kelp forests, seagrass meadows, open ocean, and deep hard and soft bottom benthic communities that are home to an incredibly diverse array of plant and animal species. In addition to the abundance of natural resources, historical and cultural resources include over 200 documented shipwrecks and numerous Chumash Native American sites and artifacts. (www.cinms.nos.noaa.gov)

NOAA Fisheries (National Marine Fisheries Service)

NOAA Fisheries is the Federal Agency responsible for protecting whales, dolphins, porpoises, seals and sea lions under the Marine Mammal Protection Act (MMPA) of 1972 and Endangered Species Act (ESA) of 1973. NOAA Fisheries believes that viewing marine mammals in their natural habitat can be an educational and enriching experience, if conducted safely and responsibly. All marine mammals in the sanctuary are protected by the Marine Mammal Protection Act of 1972, which stipulates that they may not be harassed, hunted, captured or killed. According to the Act, harassment may be interpreted as any activity that disrupts the behavior of the animals. NOAA Fisheries also assists in the enforcement of the Pacific Fishery Management Councils' Fishery Management Plans for coastal pelagic species, groundfish and salmon in federal waters (beyond 3 nautical miles from mean high tide). (<http://www.nmfs.noaa.gov>)

The Protected Species Management Division is responsible for conservation and management programs involving endemic and migratory marine mammals and endangered species populations adjacent to California and in southern, western and eastern tropical Pacific Ocean. The Division develops regulations and management measures to protect, conserve and restore marine mammal and endangered species populations. The NOAA Fisheries southwest regional office manages a marine mammal and endangered species stranding network throughout California and conducts consultations under Section 7 of the Endangered Species Act to ensure that Federal agency activities do not adversely affect endangered species, including controversial consultations on major water development projects in California. It reviews the status and makes determinations relative to listing species under the Endangered Species Act and coordinates the activities of recovery teams in preparing recovery plans and monitoring their implementation.

(<http://swr.ucsd.edu/index.htm>)

NOAA, National Estuarine Research Reserve System

The National Estuarine Research Reserve System protects and studies estuarine areas through a network of 25 reserves with two along the California coast. Estuaries are places where fresh water from rivers mix with saltwater. An estuary can be a bay, lagoon or slough. These important coastal habitats are used as spawning grounds and nurseries for at least two-thirds of the nation's commercial fish and shellfish. The wetlands associated with estuaries buffer uplands from flooding. Estuaries also provide many recreational opportunities, such as swimming, boating, and bird watching. The National Estuarine Research Reserves System helps to fulfill NOAA's stewardship. (<http://www.ocrm.nos.noaa.gov/nerr/>)

National Park Service (NPS), Point Reyes National Seashore

Point Reyes National Seashore contains unique elements of biological and historical interest in a spectacularly scenic panorama of thunderous ocean breakers, open grasslands, bushy hillsides and forested ridges. Native land mammals number about 37 species and marine mammals augment this total by another dozen species. The biological diversity stems from a favorable location in the middle of California and the natural occurrence of many distinct habitats. Nearly 20% of the State's flowering plant species are represented on the peninsula and over 45% of the bird species in North America have been sighted. The Point Reyes National Seashore was established by President John F. Kennedy on September 13, 1962. (<http://www.nps.gov/pore/index.htm>)

NPS, Golden Gate National Recreation Area-NPS

The Golden Gate National Recreation Area (GGNRA) is the largest urban national park in the world. The total park area is 75,398 acres of land and water. Approximately 28 miles of coastline lie within its boundaries. It is nearly two and one-half times the size of San Francisco. One of the nation's most highly visited National Parks, Golden Gate NRA comprises numerous sites, including Alcatraz Island, Marin Headlands, Fort Funston, Fort Mason, as well as Muir Woods National Monument, Fort Point National Historic Site, and the Presidio of San Francisco. (<http://www.nps.gov/goga/index.htm>)

NPS, Channel Islands National Park

Comprised of five in a chain of eight southern California islands near Los Angeles, Channel Islands National Park is home to a wide variety of nationally and internationally significant natural and cultural resources. The park consists of 249,354 acres, half of which are under the ocean, and include the islands of San Miguel, Santa Rosa, Santa Cruz, Anacapa, and Santa Barbara.

The National Park and National Marine Sanctuary overlap one mile of ocean surrounding the islands. The National Park Service administers all use and resource protection of the islands, except Santa Cruz. On Santa Cruz Island, 74% of which is owned by the Nature Conservancy, the park assists in the management through a cooperative agreement.

<http://www.nps.gov/chis/>

NPS, Santa Monica Mountains National Recreation Area

Santa Monica Mountains rise above Los Angeles, widen to meet the curve of Santa Monica Bay and reach their highest peaks facing the ocean, forming a beautiful and multi-faceted landscape. Santa Monica Mountains National Recreation Area is a cooperative effort that joins federal, state and local park agencies with private preserves and landowners to protect the natural and cultural resources of this transverse mountain range and seashore. Located in a Mediterranean ecosystem, the Santa Monica Mountains contain a wide variety of plants and wildlife. (<http://www.nps.gov/samo/index.htm>)

US Fish and Wildlife Service (USFWS)

The U.S. Fish and Wildlife Service, a bureau within the Department of the Interior, is the principal Federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 95-million-acre National Wildlife Refuge System that encompasses nearly 540 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 70 national fish hatcheries, 64 fishery resource offices and 78 ecological services field stations. The agency enforces Federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign governments with their conservation efforts. It also oversees the Federal Aid program that distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies. (<http://pacific.fws.gov>)

USFWS, Farallon National Wildlife Refuge

The Farallon Islands are located approximately 30 miles offshore of San Francisco in the Pacific Ocean. The refuge is comprised of 211 acres of rocky islands in three island groups, the South Farallones, Middle Farallon, North Farallon Island, and Noonday Rock. These islands are not open to public access but wildlife can be viewed and photographed from vessels. The islands are the largest seabird breeding colony on the Pacific coast south of Alaska, hosting thirteen breeding species and more than 300,000 birds each summer. Additionally, six species of pinnipeds breed or haul out on the islands.

Bureau of Land Management

The California Coastal National Monument is managed by the Bureau of Land Management (BLM). A crucial part of a fragile ecosystem, the Monument is comprised of nearly 13,000 islands, rocks, exposed reefs and pinnacles seen above the high water mark, providing shelter and nutrients for thousands of organisms. The Monument stretches the entire length of the California coastline, from Oregon to Mexico, and extends out 12 nautical miles.

Bureau of Land Management (continued)

The protection of the Monument is a cooperative effort among federal, state and local governments, universities, and private interests. The management of the Monument is performed jointly by BLM, the California Department of Fish and Game, and the California Department of Parks and Recreation. All federal and state wildlife protections laws are enforced. (<http://www.blm.gov>)

United States Coast Guard

The United States Coast Guard enforces regulations related to vessel safety, foreign fishing, entry of foreign aliens, drug trafficking and ocean dumping. They also conduct search and rescue operations and respond to complaints of improper conduct and vessel operation within the sanctuary. (<http://www.uscg.mil>)

U.S. Department of Agriculture (USDA), National Forest Service

The USDA Forest Service manages eighteen national forests in California encompassing more than twenty million acres. Their mission is to manage resources to benefit the public while protecting them for the future. The NatureWatch program enhances opportunities for all people to experience wildlife, fish, and plant resources and encourages the public to support conservation efforts. (<http://www.fs.fed.us/>)

California State Parks

The mission of the California Department of Parks and Recreation (California State Parks) is to provide for the health, inspiration, and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation. California State Parks contain the largest and most diverse natural and cultural heritage holdings managed by any state agency in the nation.

Responsible for almost one-third of California's scenic coastline, California State Parks manages the state's finest coastal wetlands, estuaries, beaches, and dune systems. The California State Park System consists of nearly 1.3 million acres, with over 280 miles of coastline; 625 miles of lake and river frontage; nearly 18,000 campsites, and 3,000 miles of hiking, biking, and equestrian trails. (<http://www.parks.ca.gov>)

California State Department of Fish & Game

The California State Department of Fish & Game is responsible for the management of living marine resources in the state and in the Channel Islands National Marine Sanctuary from mean high tide to three nautical miles offshore. State management is aimed at conservation, maintenance, and utilization of living marine resources. Fishing in state waters within the sanctuary requires a state license. The California Department of Fish & Game has also designated a Marine Protected Area Network of marine reserves and marine conservation areas in the Channel Islands. For maps and a copy of all the state fishing regulations contact: California State Department of Fish & Game Marine Region, 4665 Lampson Avenue, Suite C, Los Alamitos, CA 90720 (562) 342-7100, (<http://www.dfg.ca.gov/mrd/regulations>)

Areas of Special Biological Significance (ASBS)

Areas of special biological significance are those areas designated by the California State Water Resources Control Board as requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable. The California ASBS's are listed from North to South below.

Redwoods National Park	Julia Pfeiffer Burns Underwater Park
Kelp Beds at Trinidad Head	Point Lobos Ecological Reserve
Kings Range National Conservation Area	San Miguel, Santa Rosa, and Santa Cruz Islands
Pygmy Forest Ecological Staircase	Ocean Area Surrounding the Mouth of Salmon Creek
Del Mar Landing Ecological Reserve	San Nicolas Island and Begg Rock
Kelp Beds at Saunders Reef	Santa Barbara and Anacapa Island
Bodega Marine Life Refuge	Santa Catalina Island (4 subareas):
Gerstle Cove	Isthmus Cove to Catalina Island
Pt. Reyes Headland Reserve	North end of Little Harbor to Ben Weston Point
Bird Rock	Farnsworth Bank Ecological Reserve
Duxbury Reef Reserve	Binnacle Rock to Jewfish Point
Double Point	Mugu Lagoon to Latigo Point
James V. Fitzgerald Marine Reserve	Newport Beach Marine Life Refuge
Farallon Island	San Clemente Island
Pacific Grove Marine Gardens Fish Refuge	Heisler Park Ecological Reserve
Ano Nuevo Point and Island	Irvine Coast Marine Life Refuge
Carmel Bay	San Diego-La Jolla Ecological Reserve
Hopkins Marine Life Refuge	San Diego Marine Life Refuge

CONTACTS:

Marine Mammal Strandings:

Joe Cordaro
Southwest Regional Stranding Coordinator
National Marine Fisheries Service
501 West Ocean Blvd, Suite 4200
Long Beach, CA 90802-4213
(562) 980-4017

Sea otters in California:

The Sea Otter Hotline Number to report strandings in California is (831) 648-4829.
The U.S. Fish and Wildlife Office in Ventura, California is responsible for administration and can be reached at (805) 644-1766.

Violations of the Marine Mammal Protection Act and /or Endangered Species Act :

NOAA Fisheries Enforcement
1-800-853-1964, 24 hours a day, 7 days a week (statewide)

To report violations of Sanctuary regulations:

Channel Islands NMS	(805) 966-7107
Monterey Bay NMS	(831) 647-4220
Gulf of the Farallones NMS	(415) 561-6622
Cordell Bank NMS	(415) 663-0314

If you have witnessed a poaching incident or any state fish and wildlife violation or have information about such a violation:

California State Department of Fish and Game CalTIP Hotline 1-888-DFG-CALTIP (888) 334-2258 8:00am – 5:00pm seven days a week

Oil and Hazardous Spills:

California Office of Emergency Services
(800) 852-7550

Contacts For Live Stranded/Entangled Marine Mammals and Sea Turtles:

Del Norte County and Humboldt County

Northcoast Marine Mammal Center (707) 465-6265

Mendocino County through San Luis Obispo County

The Marine Mammal Center (415) 289-7325

Santa Barbara County

Santa Barbara Marine Mammal Center (805) 687-3255

Ventura County

Ventura County Animal Regulation (805) 388-4344

Los Angeles County

Fort MacArthur Marine Mammal Care Center (310) 548-5677

Orange County

Friends of the Sea Lion Marine Mammal Center (949) 494-3050

San Diego County

SeaWorld of San Diego (800) 541-7325

Contacts for Dead Stranded/Floating Marine Mammals and Sea Turtles:

Del Norte County through Mendocino County

Humboldt State University (707) 826-4872

Sonoma County through San Mateo County

University of California, Berkeley (510) 642-1379

California Academy of Sciences (415) 750-7177



Santa Cruz County

Long Marine Laboratory (831) 459-2883

Monterey County

Moss Landing Marine Laboratories (831) 771-4422

San Luis Obispo County through Ventura County

Santa Barbara Museum of Natural History (805) 687-4065 x385

Los Angeles County and Orange County

Los Angeles County Museum of Natural History (323) 585-5105

San Diego County

NMFS Southwest Fisheries Science Center (858) 546-7162





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