



“Frequently Asked Questions”

NOAA Fisheries Service, Southeast Region Protect Dolphins Campaign

August 2006

Is feeding wild dolphins illegal in the state of Florida?

Yes, feeding is prohibited under regulations enacted pursuant to 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 is illegal in both state and federal waters in Florida and throughout the United States.

Why is it illegal to feed wild dolphins?

Feeding of wild dolphins is illegal for the following reasons:

- Dolphins lose their natural wariness of humans and become habituated to receiving handouts, which increases their risk of injury from boats and entanglement in fishing gear; decreases their willingness to forage for food on their own; and causes these habituated behaviors to be passed on to calves and other dolphins.
- Feeding dolphins inappropriate 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 Service 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 Service 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.
(<http://www.nmfs.noaa.gov/pr/education/viewing.htm>)

How can people responsibly view wild dolphins?

NOAA Fisheries Service and the Florida Fish and Wildlife Conservation Commission (FWC) supports responsible viewing of wild dolphins and, in the Southeast, recommend the following viewing guidelines to help people responsibly view them and avoid harassment (<http://www.nmfs.noaa.gov/pr/education/southeast/>):

- Observe wild dolphins, porpoises, and seals from safe distances of at least 50 yards (Federal law prohibits close approaches to right whales within 500 yards)
- Use binoculars or telephoto lenses for a better view of the animals
- Limit overall viewing time to no more than 30 minutes
- Avoid circling or entrapping marine mammals between watercraft, or watercraft and shore
- Avoid abrupt movements or loud noises around marine mammals
- Avoid separating mother/calf pairs
- Move away cautiously if behaviors are observed that indicate the animal is stressed
- Avoid touching or swimming with wild marine mammals, even if they approach you

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>)
- 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.
- Constantine, R. and D.H. Brunton, and T. Dennis. 2004. Dolphin-Watching Tour Boats Change Bottlenose Dolphin (*Tursiops truncatus*) Behaviour. *Biological Conservation*, 117: 299-307.
- Nowacek, S.M., R.S. Wells, and A.R. Solow. 2001. Short-term Effects of Boat Traffic on Bottlenose Dolphins, *Tursiops truncatus*, in Sarasota Bay, Florida. *Marine Mammal Science* 17(4): 673-688.

- 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.
- Samuels, A., L. Bejder, and S. Heinrick. 2000. A Review of the Literature Pertaining to Swimming with Wild Dolphins. Prepared for the Marine Mammal Commission (<http://www.mmc.gov/reports/contract/asamuels.html>).

What is the approach to enforce the feeding and harassment regulations under the MMPA?

NOAA Fisheries Service works cooperatively with many partners, including FWC, 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.

What can people do if they see a marine mammal violation?

To report marine mammal violations, such as feeding, touching or chasing wild dolphins, please contact the NOAA Fisheries Enforcement Hotline 1-800-853-1964.