



Fish and Wildlife Commission Presentation Summary Sheet

Meeting date:

9/12/2020

Agenda item:

Commercial Whale Watching – Briefing

Presenter(s):

Julie Watson, PhD- Killer Whale Policy Lead

Background summary:

In spring 2019, the Washington Legislature passed Senate Bill 5577: a bill concerning the protection of Southern Resident Orca Whales from vessels, which developed a license for commercial whale watching and directed WDFW to administer the licensing program and develop rules for commercial viewing of Southern Resident Killer Whales (SRKW). (See RCW 77.65.615 and RCW 77.65.620)

The purpose of developing rules for how, when, and where commercial whale watching of SRKW can happen is to enable sustainable whale watching while reducing the impacts of vessel noise and disturbance on the whales' ability to forage, rest, and socialize.

This presentation will go over progress to date on the development of the rules. This includes the formation and deliberations of a stakeholder advisory committee, insight on best available science from an independent science panel, and implementation guidance from inter-governmental partners. It also includes a state environmental review (SEPA) process as well as analysis of the economic impacts of various measures on the viability of the whale watching industry.

Draft rules are being developed currently and will be made available September 23, 2020, along with the draft SEPA Environmental Impact Statement.

Staff recommendation:

N/A- This is a briefing only.

Policy issue(s) and expected outcome:

The Commission will have a formal hearing on the proposed rules at the December 3-5, 2020 meeting, and will deliberate and potentially adopt rules on the December 18, 2020 conference call. This would allow us to meet our mandate in RCW 77.65.620 to adopt rules by January 1, 2021.

Fiscal impacts of agency implementation:

N/A

Public involvement process used and what you learned:

This process has benefited from significant public engagement via the SEPA scoping process, science and stakeholder workshops hosted by the Washington State Academy of Sciences, and public comment at advisory committee meetings. Additional public engagement is expected via the rulemaking public comment phase and formal hearing at the December Commission meeting, the draft SEPA Environmental Impact Statement public comment period, and a public meeting scheduled for October 19, 2020.

Action requested and/or proposed next steps:

The Commission is invited to attend a public meeting to hear public comments regarding the draft rules and the draft SEPA Environmental Impact Statement on October 19, 2020, 6-8pm.

Draft motion language:

N/A

Post decision communications plan:

N/A
