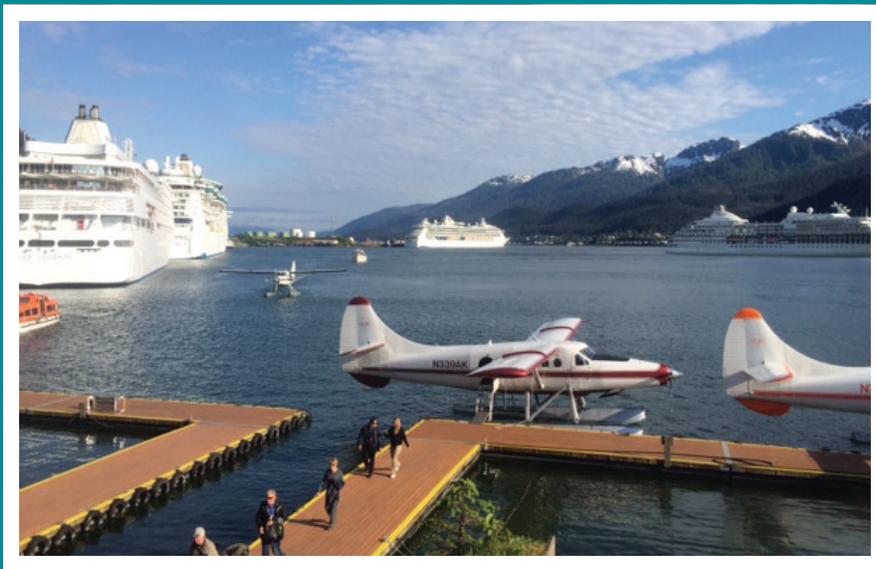


2020 Tourism Best Management Practices



*Celebrating
More than 20 Years
of Making Tourism
Work for Juneau
1997-2020*

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2020 Tourism Best Management Practices

Begun in 1997, Tourism Best Management Practices (TBMP) are intended to minimize the impacts of tourism in a manner which addresses both resident and industry concerns and enhances our visitors' experience in the Capital City. This program is a cooperative effort of Juneau tour operators, cruise lines, transportation providers, merchants, hospitality businesses, tour brokers, the Tongass National Forest, and the City and Borough of Juneau (CBJ). These guidelines, however, do not replace applicable city, state, or federal regulations. By actively participating in this voluntary program, participants demonstrate their commitment to address key community concerns. It is equally important for residents to help operators and the CBJ monitor the success of this program by providing constructive feedback via the Tourism Best Management Practices Hotline. Contact the Tourism Hotline by sending an e-mail to: hotline@traveljuneau.com. Using this email address is the best method to ensure that your concern is viewed and responded to in a timely and efficient manner. You may also register your concerns by calling the hotline phone number, 907-586-6774 after May 1st. TBMP encourages the community to utilize the hotline to register comments (see item #97). Residents are also encouraged to provide positive feedback via the hotline to recognize participants who are making a difference by following the guidelines and operating their business in a courteous and neighborhood-friendly manner. Being informed of residents' observations and concerns allows participants to consider the way in which they conduct their business to minimize impacts on the community. Visit our website at: www.tbmp.info.

TBMP participants will continue utilizing the internal observation program. This process encourages participants to notify each other if they observe **TBMP** guidelines not being followed. This program is intended to provide additional feedback to **TBMP** participants to assist them in continuing to reduce impacts in the community. (See attachment "F")

Participating businesses will also require employees to sign a **TBMP** agreement in which they certify that they have read, understood, and intend to abide by the practices outlined below. (See attachments "D" and "E").

The CBJ Assembly applauds the signatories to this document for their continued efforts on behalf of the community and the visitors they serve and **TBMP** appreciates the continued support of the Assembly.

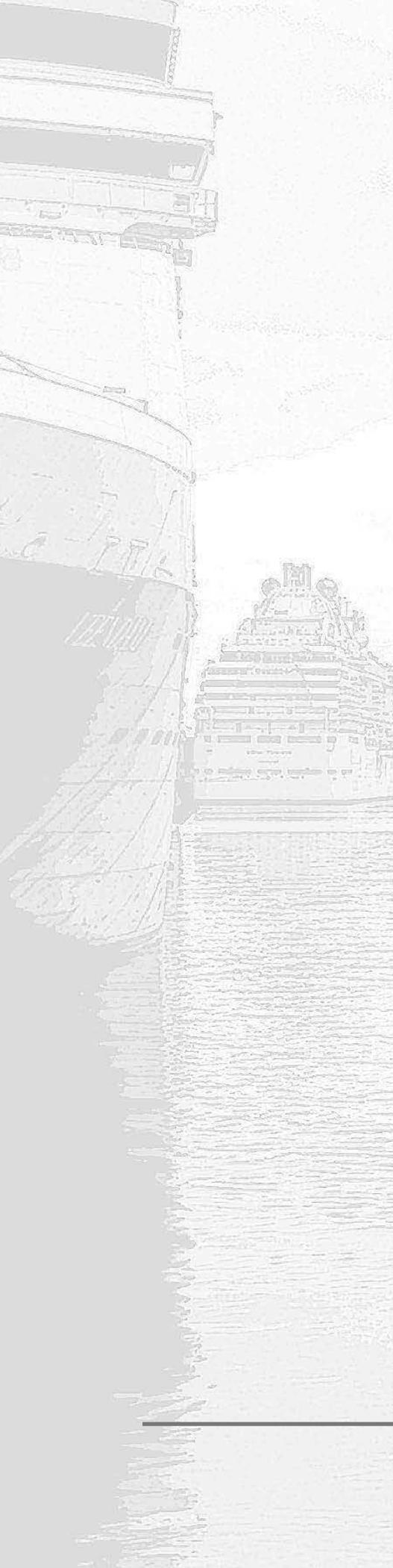
In consideration of all visitors, local residents, and fellow industry employees and businesses, the following guidelines are in place in an effort to maintain a friendly business atmosphere and an aesthetically welcoming environment in Juneau. Agreeing to sign on to the program also expresses your support of the program, which is in place to allow members to work cooperatively to minimize impacts and protect the very qualities that make Juneau a great place to live and to visit.

We are starting a new initiative within TBMP under the heading of "For Consideration". These suggestions appear at the end of certain content sections in the guidelines to which they relate and are not new agreed upon guidelines. However, these items are included to actively urge businesses consider these practices during the 2020 season. We will then discuss adding them as guidelines in 2021.

Agreements Regarding Transportation and Vehicles

Commercial passenger vehicles are required to comply with CBJ Administrative Code (Title 20: Business Regulations, Chapter 40: Commercial Passenger Vehicles—relevant sections are included as attachment "A"). For purposes of this program, vehicles include motorcoaches, buses, mini-buses, limos, vans, trolleys, taxis, motorcycles, and pedi-cabs. Residents should remember that tour vehicles are sometimes used for non-tour activities, including charters, government service contracts, school field trips and charity work. While this program focuses on tour activities, operators agree to conduct all activities in a courteous manner and to emphasize these guidelines during pre-season training.





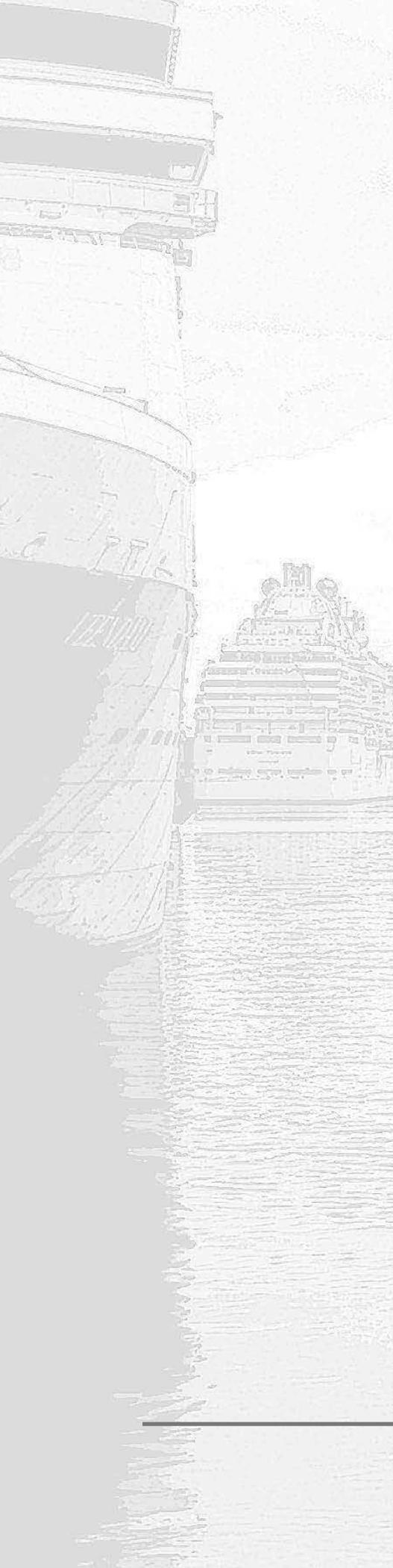
1. **PRE-SEASON TRANSPORTATION MEETINGS:** All transportation companies who utilize the downtown and/or Statter Harbor/Auke Bay staging areas will agree to send a representative to a pre-season transportation meeting to discuss the implementation of a plan to ease vehicle congestion and conflicts in these areas. Some downtown transportation providers may also be asked to attend a meeting with major trucking and shipping companies which operate on the Rock Dump to review the ship schedule, peak days, and tour routing to foster better communication and to help minimize downtown traffic concerns.
2. **DOWNTOWN TRAFFIC/STAGING:** All companies utilizing the Alaska Steamship Dock, Cruise Ship Terminal and Columbia Lot staging areas should be aware of times when congestion into and out of these lots will be at peak level. Dispatchers, Docks and Harbors staff, crossing guards, and drivers will assist in promoting efficient traffic flow in the area by managing vehicle movements in a courteous manner and by yielding to other vehicles and users as necessary. All participants will also be mindful of sirens and approaching emergency vehicles so as to keep South Franklin Street clear for such emergency traffic
3. **COLUMBIA LOT STAGING:** The last staging lane nearest the tram marked A/B zone in this lot will be considered a “priority staging lane” for Mendenhall Glacier Shuttles. Other vehicles that enter the Columbia (Tram) Lot to stage for pickup/drop-offs are encouraged to first utilize the two B zone lanes and the two A/B zone lanes closest to the road whenever possible. This “priority lane” will NOT be marked, striped or designated in any way other than being mentioned in this guideline.
4. **STATTER HARBOR/AUKE BAY PROCEDURES:** All companies utilizing this location will be aware of times when congestion into and out of Statter Harbor will be at peak level. Dispatchers, captains and drivers will assist in promoting efficient traffic flow in the area by managing vehicle and vessel movements in a courteous manner and by yielding to other vehicles/vessels and users as necessary. All companies will send designated trainers and lead personnel to a pre-season meeting to go over the most current Statter Harbor Vehicle and Vessel Procedures. All companies agree to abide to the best of their ability with these procedures.
5. **TRAFFIC FLOW:** Drivers agree not to impede normal traffic flow by slowing down or stopping for sightseeing opportunities anywhere within the City & Borough of Juneau. Drivers will be especially attentive not to slow down or stop, when transiting Glacier/Willoughby Avenue between 10th Street and the State Museum/Egan Drive, or along South Franklin Street.
6. Taxis, Crew Shuttles, and Pedi-Cabs should avoid stopping in the roadway, even when flagged for a fare. Vehicles should attempt to stop out of the flow of traffic to prevent congestion in the area.
7. Operators agree to treat the curbside “A” zone adjacent to Marine Park Plaza as a “quick drop/quick load” area. For loading procedures Operators agree not to approach the area for loading until their guests are curbside and ready to load. Operators who anticipate a longer time needed for loading agree to take a lane in the main Marine Park Plaza. Drivers using the curbside “A” zone agree to pull completely up to the curb in a manner that doesn’t block the main roadway and/or block the entrance to Marine Park Plaza. Drivers of vehicles in the adjacent “B” zone agree to park in a manner that doesn’t encroach the “A” zone. The “B” zone section will not be considered “quick drop/quick load.”
8. Drivers should pay special attention when traveling southbound past Marine Park not to block the parking garage exit when other vehicles have stopped for the crosswalk ahead. Try to stop short of the exit when traffic is backed up so cars may still exit the garage.
9. **12TH STREET & CALHOUN AVENUE/COPE PARK:** All operators agree to eliminate the use of buses, mini-buses, and tour vans on 12th Street/Calhoun Avenue unless required by a CBJ traffic revision. Cope Park should not be used by tour operators.
10. **EMPTY TOUR VEHICLES:** Drivers of empty tour vehicles agree to avoid looping through

downtown on Franklin/Front Street or on Shattuck Way unless transiting to a drop-off or pick-up destination in the immediate vicinity.

- 11. FRANKLIN STREET:** Drivers who miss a loading space at the Alaska Steamship Wharf/Marine Park agree to use the roundabout intersection in front of the parking garage, turn around and return to the Steamship Wharf/Marine Park via a left turn into this staging area OR via Willoughby and Whittier Avenue. To avoid congestion, drivers agree not to use Franklin Street as a shortcut when returning to the Steamship Wharf.
- 12. FRANKLIN/MAIN CORRIDOR:** As a phased in approach, operators of buses and mini-buses should avoid using Franklin Street north of the Red Dog for any tour activity. Companies that presold city tours that include the downtown core for 2020 may take a year to phase into compliance if absolutely necessary. Operators will minimize future congestion on Franklin Street through downtown and Main Street by not adding this routing to new tours or including in current tour descriptions
- 13. TRANSPORTATION OPERATORS** employing Driver-guides (those who drive vehicles and provide commentary simultaneously) will incorporate defensive driving and road environmental awareness into their training program curriculum in an effort to reduce any potential safety risks associated with this practice. Driver-guides will be encouraged to refrain from delivering tour commentary while transiting areas of increased congestion such as downtown loading areas and portions of South Franklin Street that may be congested during periods of the day.
- 14. VEHICLE FLUIDS AND EMISSIONS:** Drivers of ALL VEHICLES agree to monitor any engine oil and/or fluid leaks and excess emissions when operating throughout the Juneau road system. This includes monitoring at all staging/loading zones and docks downtown, as well as venues such as, but not limited to the State Museum, Mendenhall Glacier, Statter Harbor, Mayor Bill Overstreet (Whale) Park, Brotherhood Bridge Photo Lookout, Homestead Park on Douglas Island, Shrine of St. Therese, and Juneau International Airport. Should any vehicle exhibit a leak of a substantial nature or visible emissions in excess, the operator should be prepared to immediately pull the vehicle from service until repaired.
- 15. ENGINE IDLING:** Drivers of ALL VEHICLES agree to turn engines off at every reasonable opportunity when loading and unloading passengers and/or when staging in the various loading zones, staging areas and tour venues throughout the CBJ. This includes all passenger and crew shuttle operations and “quick drop-offs” accomplished at Marine Park and the Columbia (Tram) Lot. Vehicles should not sit with engines idling while actively loading, unloading, or waiting for passengers to arrive. Engines should be started only when the vehicle is ready to move, and thereafter, only when the vehicle is in motion or in traffic. Note that the State Museum, Juneau Ranger District, and all downtown docks require companies to turn off engines at these facilities as part of a company's permit to operate.
- 16. TRANSITING RESIDENTIAL STREETS:** Drivers agree to avoid transiting residential streets within the City and Borough of Juneau unless conducting a specific pick-up or drop-off in the immediate vicinity. This includes, but is not limited to 1st Street in Douglas and Riverside Drive in the valley.
- 17. WEST JUNEAU:** All drivers should avoid conducting tours on Blueberry Hill and Pioneer Avenue. This includes taxi companies.
- 18. LEFT TURNS:** Drivers of motorcoaches and full size buses departing the Seadrome Building and Goldbelt Hotel agree not to make left turns onto Egan Drive.

When traveling northbound on Marine Way, and attempting to make a legal left turn into the Alaska Steamship Wharf loading/unloading zone (Marine Park Plaza), drivers of all vehicles



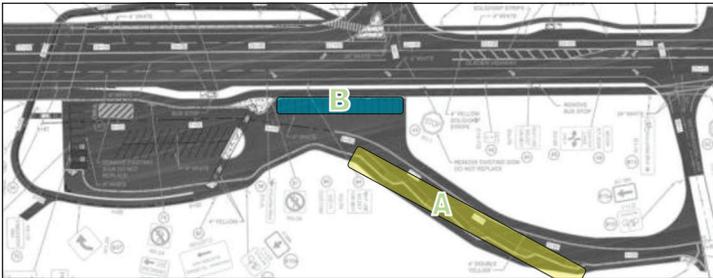


should be mindful of traffic behind them. If this left turn is not possible to make without causing a considerable delay of traffic (numerous vehicles) behind them, drivers should proceed and return to the Alaska Steamship Wharf via Willoughby and Whittier Avenue.

19. **USE OF LEFT LANE ON EGAN DRIVE:** Operators of ALL VEHICLES (regardless of size) will avoid driving in the left lane on Egan Drive except when turning left, setting up for a left turn, or overtaking unusually slow traffic traveling in the right lane.
20. **USE OF LEFT LANE DOWNTOWN:** When exiting downtown, ALL VEHICLES will make every effort to move into the right lane by the time they reach Centennial Hall, unless they are setting up for a left turn.
21. **SANDY BEACH, TWIN LAKES, AUKE REC, COPE PARK:** Drivers agree not to use Sandy Beach, Twin Lakes, Cope Park or Auke Bay Recreation Area (including the Auke Bay Recreation access road) as tour destinations.
22. **ADA ZONES NOT FOR STAGING:** Drivers utilizing equipment with a wheelchair lift will use the designated ADA zones only for active loading and unloading and not for staging of vehicles.
23. **SAFETY WHEN BACKING:** All motorcoaches, buses, mini-buses, and trolleys will take special care when backing out of the loading/unloading zones at the Alaska Steamship Wharf, the AJ Dock, the Cruise Ship Terminal, and the Franklin Street Dock. All companies will assign a representative on site to assist with traffic flow and backing procedures during the first four (4) hours of tour operations at each staging facility. Operators should also provide a backer during their own peak hours of operations throughout the day at each location. As well, when preparing to back, drivers should be aware of the back-up beepers and the sound they make, and should strive to spend as little time as possible in reverse. Drivers should only shift into reverse when they are ready to commence backing to minimize beeper sounds.
24. **IMPEDING PEDESTRIAN TRAFFIC:** Taxis and Crew Shuttles will refrain from impeding or slowing traffic by stopping along sidewalks in downtown to pick up or drop off passengers.
25. **SAFETY ON ROADWAYS:** Drivers will take caution when encountering pedestrians, cyclists, and animals on narrow roadways, bike lanes and school zones throughout the borough and companies will take this into consideration during their driver training programs. Drivers should strive to operate in a manner which exhibits common courtesy throughout their daily travels. **Operators who transit Thane Road recognize the potential hazards associated with its being a narrow roadway with uneven surfaces, and will take extra precautions to avoid joggers and cyclists when transiting the area.**
26. Drivers utilizing Thane Road for tours, transfers, and charters should be aware that Thane Road has a somewhat uneven road surface that may require vans and minibuses to transit the area at a slower rate of speed than the typical passenger car. Should these slower speeds result in congestion and a back-up of traffic, drivers are asked to utilize the next available “vehicle pullout” to allow other vehicles to safely pass.
27. In the interest of safety, all operators agree to promote a hands-free only cell phone policy when their drivers are operating a vehicle except in the case of an emergency.
28. Drivers will refrain from texting/emailing on their mobile phone while operating a vehicle as doing so is a misdemeanor.
29. Drivers of all tour vehicles, regardless of size agree to drive with headlights “ON” in order to increase visibility of their vehicles to others and thus, promote safety on the roadways.
30. **TROLLEY OPERATIONS:** Drivers agree not to impede traffic and to maintain a safe travelling speed. Drivers agree to be mindful of the use of the Trolley bell and PA system outside volume.
31. **TROLLEY OPERATORS** may make a quick stop at Franklin Food Court (Franklin and Front Streets) as they make their scheduled loop up Franklin Street. Trolleys should use the marked

yellow zone directly in front of the Franklin Food Court, turning on their flashers pulling completely out of the lane of traffic, and being careful not to block the roadway or the crosswalk.

- 32. RESOURCE SCHEDULING:** Operators agree to assign vehicles to scheduled tours and transfers in a manner which efficiently maximizes the use of all vehicles on duty. The number of vehicles and type of equipment will be assigned to a tour or transfer based on the capacity needs on a given day. Operators will collaborate with partners/vendors to find opportunities to minimize the number of vehicles on the road whenever possible.
- 33. TRAINING OF SCHEDULERS:** Operators will train all schedulers to take advantage of synergies that are present in the Juneau tourism transportation industry. Schedulers should strive to better serve their constituents and community stakeholders by minimizing vehicles on the road whenever possible.
- 34. CROSSING GUARDS:** TBMP Crossing Guards will be positioned in strategic locations in order to promote safety and facilitate vehicle and pedestrian movement throughout the downtown corridor. TBMP members should be mindful of their presence and obey their instructions.
- 35. MENDENHALL LOOP ROAD:** Drivers agree to transit Mendenhall Loop road in a safe manner and at a consistent speed, taking into consideration traffic rules and neighborhood sensitivity along this road. Drivers should maintain a consistent speed as much as possible to minimize any engine acceleration (revving) noise and increased emissions associated with inconsistent speed. This is especially true outbound to the glacier just past Back Loop Road.
- 36. USE OF BROTHERHOOD BRIDGE PARKING LOT** Tour companies agree not to use the Brotherhood Bridge parking lot for staging unless absolutely necessary for their operations and agree not leave their vehicles unattended while in the lot. Companies utilizing coaches larger than 30 feet agree to park in the curbside spaces along the lot's access drive. Companies utilizing airporter style vehicles and/or Sprinters agree to park in the spaces to the back of the lot to allow smaller vehicles access to the central angled parking area (see below).

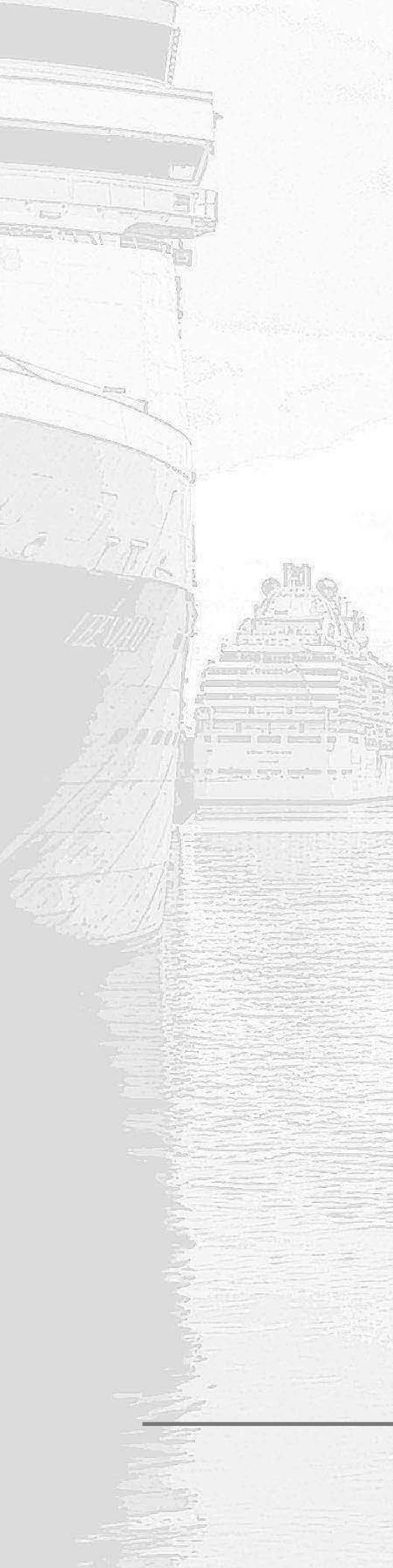


Tour operators agree to not allow Drivers to leave vehicles unattended while parked at Brotherhood Bridge, and refrain from using the lot for staging unless absolutely necessary for their operations.

- A.** Tour companies that operate coaches longer than 30 feet will use the designated pull outs along the Brotherhood Bridge access drive for expediting guests that are either visiting the view point or transiting from Mendenhall River. Drivers who are using the lot for staging should yield to those transporting guests when at all possible.
- B.** Tour companies that operate smaller cutaway or airporter vehicles should park in spaces near the entrance to the main parking lot as a first resort. Those Drivers using the lot for staging should yield to operators transporting guests.

Vans and taxis may use the main lot, but should relocate to area **B** on days when the public use of the main lot is heavy.





FOR CONSIDERATION

Transportation companies which currently use hand-held microphones for tour commentary, regardless of the type of vehicle (motorcoach, van, trolley, etc.) should consider phasing in headsets and/or boom microphones to promote safety and insure that drivers are always operating the vehicle with two hands on the steering wheel.

Agreements Regarding Flightseeing (Helicopter and Fixed Wing)

Flightseeing operations are subject to Federal Aviation Administration (FAA) regulations and operational requirements. Guided glacier landing trips are also subject to US Forest Service permit requirements. Although the following guidelines are designed to minimize noise, safety and flight operations take precedence over noise abatement procedures. Flightseeing operators have signed a Letter of Agreement (LOA) in conjunction with the FAA addressing operational routes and procedures. To learn more, a website link to the LOA may be found at: www.juneau.org/tourism. Operators will conduct pre-season training in a manner which emphasizes these guidelines.

- 37. ROUTES & AIRCRAFT IDENTIFIERS:** Operators agree to provide the following to the CBJ who will make the information available to interested members of the public:
- established flight routes
 - common factors influencing route choice, such as weather, turbulence and traffic
 - aircraft colors or other distinguishing characteristics useful in identifying individual operators
- 38. ALTITUDE:** Operators follow voluntarily agreed-upon routes for tour flights and maintain minimum altitudes of 1,500 feet for helicopters and 1,000 feet for floatplanes operating above residential areas, except during take-off, landing or when deviations are required by weather, traffic, or the Air Traffic Control Tower.
- 39. FLY NEIGHBORLY:** Helicopter operators agree to conduct flightseeing tours in accordance with the Helicopter Association International (HAI) Fly Neighborly Program. The Fly Neighborly Program is a voluntary noise reduction program designed to be implemented worldwide by local helicopter operators, large and small. Operators will train all pilots on the Fly Neighborly Program with regard to its application to local operations. Additional information on this program can be viewed on the HAI website—www.rotor.com.
- 40. OPERATING TIMES:** Operators agree not to schedule glacier flightseeing and tour departures before 8 am or after 7 pm and to complete all tour flights by 9 pm. Operators agree to minimize tour support operations outside these hours. Non-tour operations will occur outside these hours as our community is uniquely dependent on commercial fixed-wing and helicopter operations. Operators agree to take the same care to minimize their impacts during non-tour flight operations.
- 41. LOW USE ZONES:** Operators agree to maintain “low use zones” in the Perseverance/Granite Creek Basin, Peterson Trail/Lake, the Eagle River/Eagle Glacier Cabin, and the John Muir Cabin areas. “Low use zones” are identified as areas where direct overhead tour flights are avoided (weather permitting).
- 42. WILDLIFE VIEWING:** Operators conducting air tours within CBJ boundaries agree to minimize impacts to backcountry users and wildlife. Operators will not circle, hover, harass or decrease altitude for wildlife viewing. Flightseeing operators also agree to avoid key mountain goat kidding areas at appropriate times.

Agreements Regarding Walking, Hiking, Bicycling, Segway and Zipline Tours

Commercial use of public trails is permitted by the CBJ Department of Parks & Recreation (11 CBJ AC 01.010–01.100 — Commercial Use of Parks and Recreation Facilities and Trails), by the US Forest Service, and by Alaska State Parks. Operators may hold commercial permits for the following trails: Perseverance Trail System, Upper Mt. Roberts (above tram), East Glacier, West Glacier, Moraine Ecology, Nugget Falls, Glacier Nature Loop, Rainforest Trail, Amalga Meadows Beach Access (SAGA Beach), Auke Lake Launch Ramp Access, Powerline Trail (near Gladstone St.), Tolch Rock, Sunshine Cove Beach Access, Ernest Gruening State Park, Trail of Time, and Treadwell Historic Loop Trail. Operators will conduct pre-season training in a manner which focuses on and emphasizes these guidelines.

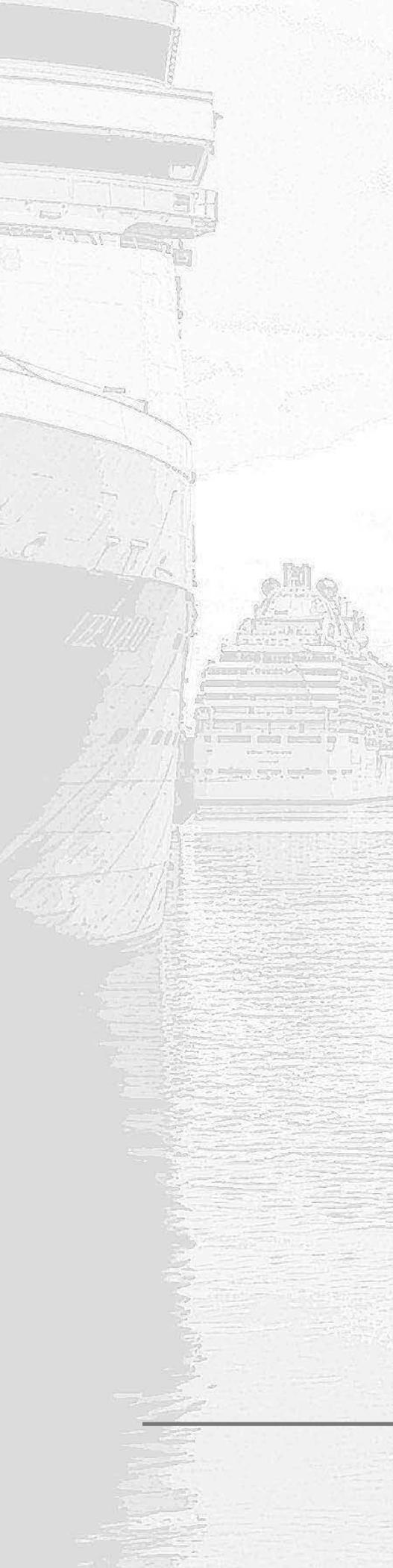
- 43. TOURS DURING COMMUTE HOURS:** Operators agree not to conduct downtown walking or Segway tours on Calhoun Avenue during morning and afternoon commute hours (7:30–8 am and 4:30–5 pm).
- 44. USE OF BIKE PATHS:** Operators agree to use bike paths along Glacier Highway, Fritz Cove Road, Back Loop and Loop Roads, Glacier Spur Road, and other destinations within CBJ, and to instruct clients to ride single file. Operators agree not to use the walking path immediately along the Twin Lakes shoreline for tours.
- 45. FISH CREEK ROAD:** Cycling guides agree to instruct guests to ride single file in the bike lane unless the lane is blocked by a parked vehicle or other roadside obstruction. A guide will always be in the lead to make sure that guests descend the hill at a safe speed.
- 46. INSTRUCTIONS TO YIELD:** Cycling and Segway guides agree to instruct clients to safely yield to other users on commercially used bike paths whenever possible. Segway operators will conduct tours with clients in single file fashion in all areas of the City and Borough of Juneau.
- 47. TRAILHEAD PARKING:** Operators agree to use trailhead parking in a courteous and responsible manner and to pay special attention to independent users. If utilizing the Brotherhood Bridge Photo Lookout area as a photo stop, operators will not encourage visitors to use the trail unless the operator has a permit to do so.
- 48. IDENTIFIERS FOR TOUR GUIDES:** Operators agree to ensure tour guides are easily identifiable and that company names are visible on guides' attire and company vehicles.
- 49. YIELD TO OTHER USERS:** Guides agree to instruct clients to yield to other users on commercially used trails.
- 50. TRAIL CONDITION REPORTS:** Operators agree to report trail conditions and trail abuse to appropriate regulatory agencies.
- 51. LITTER REMOVAL:** Operators agree to remove litter (tour and non-tour related) from permitted trails on a regular basis.

Agreements Regarding Cruise Ships

Visible stack emissions are regulated by the Alaska Department of Environmental Conservation under the Marine Vessel Visible Emission Standards (18 AAC 50-.070). (See attachment B)

- 52. P.A. ANNOUNCEMENTS, SIGNALS and OUTDOOR ENTERTAINMENT:** Cruise Line Agencies, Cruise Lines International Association (CLIA) Alaska and individual cruise lines will continue to work to minimize vessel announcements, whistle signals, and outdoor entertainment (movies and use of music, bands or DJ) while docked or anchored in Juneau Harbor. Cruise ships are also asked to monitor their outside speakers, announcements and entertainment on approach to and departure from Juneau. Ships will keep outside speakers turned “off” or down until they are





well past the homes along Gastineau Channel. “Dupont” at the south end of Gastineau Channel should be used as a marker point where outside speakers should be turned off inbound and remain off until at this point outbound. Cruise Line Agencies, CLIA Alaska, and cruise lines will ensure that the shipboard staff understands the importance of this specific guideline. Certain signals and announcements are necessary and required by the US Coast Guard or are necessary for safety reasons. See attachment C for a discussion and explanation of the use of ships’ whistles. Safety drills should not begin before 10 am local time.

- 53. EMISSION STANDARDS:** All cruise vessels agree to comply with the Marine Vessel Visible Emissions Standards (18 AAC 50-.070) and take all available and reasonable steps to minimize visible stack effluents while in port.
- 54. VESSEL EMISSIONS:** All cruise vessels agree to take any other proactive steps feasible to manage visible emissions, especially on days when the downtown area might be under an air quality alert.
- 55. COURTEOUS USE OF VESSEL FLOATS:** Cruise ship tender operators agree to use the Port Field Office Float and the Intermediate Vessel Float in a safe and responsible manner and to pay special attention to other users. Tender operators also agree to minimize their wake in the harbor, especially in the vicinity of floatplanes and kayaks and to operate in a manner which exhibits common courtesy to others.
- 56. LITTER:** In an effort to keep our streets clean, ships’ crew and passengers will be asked to utilize trash containers and cigarette ash trays rather than discarding trash and cigarette butts on the ground. The CBJ Harbor Department and private dock owners and other businesses will be asked to insure that there are adequate receptacles throughout downtown Juneau to discard smoking material. Additionally, crew are asked not to congregate or smoke within 10 feet of the front door of any business.

Agreements Regarding Docks, Harbors, the Airport & all CBJ Staging Areas

Docks and harbors are regulated under the CBJ Administrative Code (05 CBJ AC 10.010- 10.090–Docks and Harbors). Operators will conduct pre-season training in a manner which emphasizes these guidelines.

- 57. COURTEOUS USE/LITTER REMOVAL:** Operators agree to use docks, harbors, loading ramps, the airport, all CBJ staging areas and related parking facilities in a courteous and responsible manner, and to pay special attention to other users. Operators also agree to remove tour and non-tour related litter when frequenting these areas.
- 58. SPECIAL EVENTS:** Companies agree to pay extra attention when operating during special events including Salmon Derby, Celebration, and the Fourth of July.

Agreements Regarding Marine Tour, Sightseeing and Sportfishing Operators

- 59. IMPACTS TO COASTAL ZONES:** Marine tour operators and charter/sportfishing operators will take all available and reasonable steps to minimize impacts to coastal residents and other vessel operators. In particular, vessel operators will strive to minimize the impacts of their wake on other watercraft, docks and beaches throughout the CBJ coastal waterways, including popular crabbing and recreational boating grounds. Additionally, these operators agree to honor and abide by a voluntary “no wake zone” in the Smugglers Cove/ Spuhn Island/Swedula Island vicinity as outlined in the image appearing on page 22 of this document.

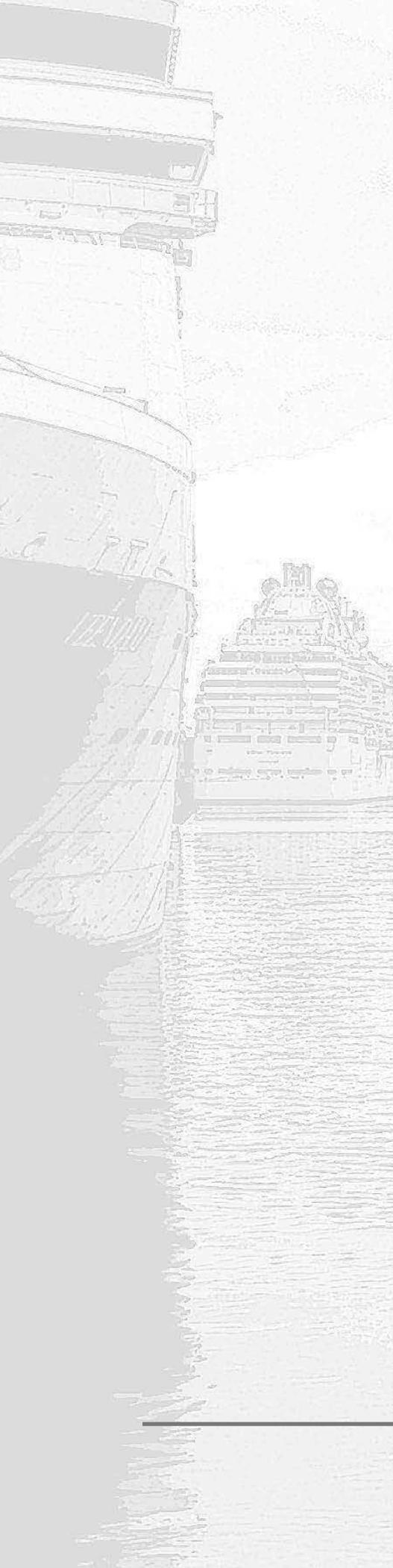
60.  Marine Tour operators, in an effort to minimize wake damage to adjacent property owners in Auke Bay, agree to voluntarily navigate along the centerline of the bay. The proposed centerline is approximate to a line from the white speed buoy to the south end of Coughlin Island. Captains of vessels will agree to remain as close to this proposed centerline as practicable and as depicted in the adjacent image. Operators are reminded of their responsibility to maintain a safe speed at all times and nothing in this voluntary guideline removes the duty to follow established rules of the road.

61. Marine tour operators agree to monitor the volume and use of their onboard PA systems and outside speakers in a manner which reduces the impact on local residents and recreational boaters.
62. Marine Operators will follow all applicable federal regulations regarding marine mammal viewing. For the most current information on this see: www.fakr.noaa.gov/protectedresources/mmv/guide.htm— 50 CFR 216.11 states the federal regulations governing the taking and importing of marine mammals. (See attachment “H”)
63. When two or more vessels are positioned in close proximity to wildlife they are viewing, and the intention of the other vessels is not obvious, all vessel operators agree to coordinate their movements by radio to reduce the potential for causing disturbance to the wildlife.
64. If a vessel captain or crew member believes they have observed TBMP guidelines not being followed, they agree to document the specifics (using the TBMP Internal Observation Form) and report to their shore side management. Shore side management shall determine whether it is appropriate to contact the owner/manager/operator of that vessel.
65. Time spent by marine operators observing a specific whale or specific group of whales should not exceed 30 minutes within a 2-hour time span on any particular tour or charter. Vessels should refrain from revisiting the same whale or group of whales within that two (2) hour period.
66. **VESSEL ENGINE IDLING:** ALL marine vessel operators (including charter fishing captains) agree to minimize engine idling at every reasonable opportunity. This includes loading and unloading of passengers and/or when standing-by in the various vessel loading zones throughout the CBJ. In the interest of reducing emissions, whenever it is deemed safe and prudent by vessel captains, engines should be turned off. Engines should not be started until the vessel is making ready to get underway.
67. For all companies that may engage in whale-watching in the Juneau area as part of their marine activities, at least one representative shall agree to attend annual NOAA or NMFS wildlife viewing training scheduled to occur in Juneau and will pass that information on to their respective management for training purposes.

68.  Vessel operators should not utilize the Indian Island passage as a short cut into and out of Auke Bay at cruising speed. The area should be considered a “no-wake” zone to provide a safer environment for local residents and boaters in this area.

69. When transiting on the water throughout the CBJ, marine tour, whale-watching, and sportfishing operators agree to maintain whenever possible, a 200-yard distance from boats that are actively fishing in order to reduce the impact of wake on those vessels. Transiting is defined as passing at a speed that creates a wake.
70. As the Coghlan Cut can become a crowded choke point with multiple commercial and private boats causing dangerous wake conditions for small boats and kayakers, as well as those picnicking or camping on the shore, vessel operators will agree not to utilize the Coghlan Cut as a shortcut into





and out of Auke Bay at cruising speed. This area will be considered a “no wake” zone for TBMP members to promote a safer environment for local residents and boaters.

71. Vessel operators, in the spirit of cooperation and in order to promote continuous improvement, agree to communicate between boats on-the-water, any possible guideline infractions and to do so in a courteous and constructive manner. Vessel Captains also agree to report the same to their own company management for respectful follow-up at the management level.

FOR CONSIDERATION

Whale watching operators agree to strongly consider becoming active members of the Whale SENSE program. Whale SENSE is a voluntary education and recognition program offered to commercial whale watching companies in the U.S. Atlantic and Alaska Regions. The program is sponsored by NOAA Fisheries and Whale and Dolphin Conservation. Developed in collaboration with the whale watching industry, Whale SENSE recognizes whale watching companies committed to responsible practices. See www.whalesense.org. TBMP has joined as a Whale SENSE Proud Supporter.

Vessel operators agree to consider shortening their whale viewing time to 20 minutes when there are more than 10 boats congregated around a whale or group of whales and their individual vessel has already experienced their whale sighting.

Agreements Regarding Restaurants and Hospitality Businesses

72. Businesses will be responsible for sweeping the sidewalk immediately in front of their establishment, will pick up and properly dispose of all litter into the proper receptacle, and will avoid sweeping litter into the street (as the street sweeper may already have made their rounds).
73. Businesses and their employees will strive to be good ambassadors of the community with knowledge of the locations of public amenities such as post office, bus stops, museums, restrooms, and government buildings.

Agreements Regarding Shoreside Tour Brokers

74. Tour Brokers will not interfere with sales activities or operations of other tour brokers.
75. Tour Brokers will be responsible for the space immediately around their vending area and will pick up and properly dispose of all litter accumulated there during the course of their activities.
76. Tour Brokers will not engage in hawking or any disruptive, loud behavior.
77. Tour Brokers agree not to smoke in their booth and/or when working with customers.
78. Tour Brokers will only distribute written information when a customer requests—no handing out of flyers or leaflets in or around the sales area.
79. Tour Brokers will have informed knowledge of products sold and will refrain from giving false information.
80. Tour Brokers will agree to practice good standard business ethics by not disparaging or making negative comments concerning other businesses.
81. Tour Brokers will strive to be good ambassadors of the community with knowledge of the locations of public amenities such as post office, bus stops, museums, restrooms, and government buildings.
82. Tour Brokers will avoid displaying misleading signage or advertising.

Agreements Regarding Downtown Retail Businesses

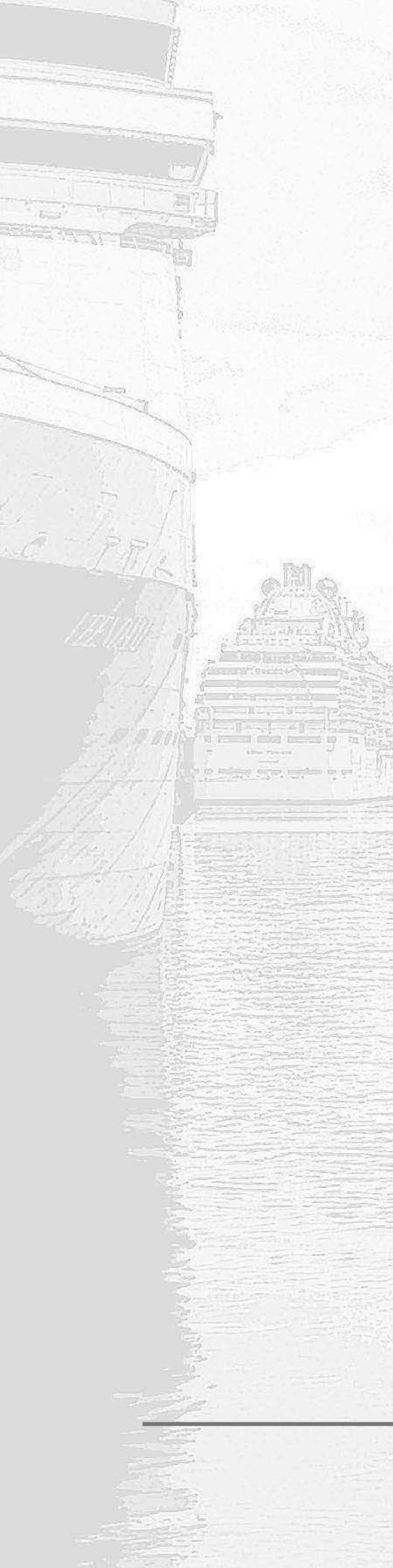
83. Merchants will be responsible for sweeping the sidewalk immediately in front of their establishment, will pick up and properly dispose of all litter into the proper receptacle, and will avoid sweeping litter into the street (as the street sweeper may already have made their rounds).

84. Merchants will refrain from placing merchandise and signage on the city-owned/public sidewalks and will leave adequate space between items for sale and the public sidewalk so that customers examining the merchandise are not blocking the sidewalk.
85. Merchants will not place their business' accumulated daily refuse into street-side, public CBJ refuse containers. They should secure their own agreement with a contracted container service.
86. Merchants and their employees will avoid handing out flyers or leaflets outside of their place of business.
87. Merchants and their employees will not engage in sidewalk hawking or any other disruptive or aggressive physical behavior in order to get potential customers into their place of business.
88. Merchants and their employees who may smoke on the sidewalk in front of their businesses agree to utilize the proper receptacles for disposing of cigarette butts.
89. Merchants will avoid displaying misleading signage or advertising and agree not to post stickers or signage in their windows indicating "cruise ship preferred or guaranteed shopping venue."
90. Merchants and their employees will at all times agree to practice good standard business ethics by not disparaging or making negative comments concerning other businesses.
91. Merchants and their employees will strive to be good ambassadors of the community with knowledge of the locations of public amenities such as post office, bus stops, museums, restrooms, and government buildings.
92. Merchants will avoid boarding up or taping brown paper or newspaper to their windows when closing in the off-season. Merchants are encouraged to utilize some sort of economical and decorative paper (wrapping paper, etc) in an attempt to "brighten up the look" of a business closed for the winter.
93. Merchants should follow the CBJ Historic District requirements to the best of their ability and consider where possible and economical, keeping display windows lit (LED lighting) and/or their outside awning lights on or on motion sensors in order to keep windows and sidewalks lit after dark to promote safety and a welcoming feel to downtown during the winter months.

General Agreements for All TBMP Participants

94. **TRAINING:** Participants agree to train all relevant employees on the program objectives and practices and to conduct periodic training sessions for employees hired mid-season. Participants will train employees and strive to conduct business in a manner which exhibits common courtesy throughout the season. Employees of participating businesses will be required to sign a "**TBMP Employee Partnership Agreement**" certifying that the employee has read, understands and agrees to abide by the Tourism Best Management Practices guidelines applicable to his/her job description. See attachment "D" and "E" for examples.
95. **CONTACT NAME:** Participants agree to provide the CBJ and TBMP Hotline administrator with a contact name, telephone number, fax number and email address.
96. **WORK SESSIONS:** Participants agree to participate in periodic work sessions to discuss progress made in attaining program goals.
97. **RESPONSE TO TBMP HOTLINE:** An important ingredient towards a successful TBMP program is consistent, respectful, and prompt responses to the tourism hotline messages. Participants agree to respond within 3 business days to calls and emails received directly and via the Tourism Best Management Practices Hotline as long as callers provide sufficient details to allow businesses to address the issue. Participants also agree to copy the TBMP Hotline Administrator as to the result of their interaction with the caller. Callers will be asked to communicate as much information as possible, including name of participant business, description of the aircraft, watercraft, or vehicle, vehicle number if possible, and date and approximate time of observation. Callers will also be asked to leave a name, phone number, and/or email address so the participants may respond. Callers are also encouraged to provide positive feedback via the hotline to recognize participants who are making a difference by following the guidelines and operating their business in a courteous and neighborhood-friendly manner.





- 98. SELF-MONITORING:** All participants agree to improve their self-monitoring efforts by actively utilizing the TBMP Internal Observation Form to directly contact a company who may not be observing the TBMP guidelines. These actions honor the spirit of TBMP and ultimately help all companies reduce tourism impacts in the community.
- 99. ONGOING TRAINING FOR EMPLOYEES:** Businesses agree to provide ongoing (mid- season) training and coaching for their employees, in an effort to reinforce compliance with the guidelines that pertain to their particular operations.
- 100. RECYCLING:** All TBMP members are strongly encouraged to commit to a recycling program which is effective for their individual size and type of business. Note that all commercial entities must have a recycling permit; information can be obtained at <https://beta.juneau.org/engineering-public-works/recycleworks/recycling>.
- 101.** All businesses will agree to dispose of and secure trash in a manner which does not attract wildlife.
- 102. Accessibility:** Recognizing that the number of visitors arriving in Juneau each year with limited mobility and/or visual or hearing impairments is increasing, TBMP members are encouraged to focus forward in order to find “best practice” objectives which may assist in providing these visitors with a quality experience. To that end, here are some recommendations shared by SAIL (SE Alaska Independent Living) that businesses might consider in preparing to respond to this expanding market.
- Businesses could consider how best to make accommodation for customers with limited mobility and/or a visual or hearing impairment, as appropriate to their operation.
 - Businesses could post information concerning their tour/venue accessibility on-line, or otherwise make it readily available to those seeking details (i.e. how many steps? how long a walk? are necessary service companions given complimentary space?).
 - Businesses should consider training all front line employees in accessibility awareness, with focus on how best to accommodate requests for various types of assistance (mobility, hearing, visual, etc.), how to provide good customer service to those with disabilities or impairments, and when to seek additional help in doing so.
- 103.** All tour operators stopping at Mayor Bill Overstreet (Whale) Park and whose driver and/or guide are getting out of the vehicle with tour passengers (providing narrative or guide services on the site) will require a permit to do so.

FOR CONSIDERATION

TBMP members can voluntarily offset carbon emissions through a local program, the JUNEAU CARBON OFFSET FUND (www.juneaucarbonoffset.org). This program allows both visitors and businesses to consider balancing out their carbon emissions by helping to convert lower-income home heating from fossil fuels to renewable energy, making housing more affordable and meeting the City and Borough of Juneau goals for carbon reduction.

Program Contacts

Participating businesses are responsible for managing this program and for promoting its objectives through a variety of means. These may include press releases, public service announcements, brochures, newspaper inserts, additional print media, and other appropriate means. This may also include contacting other businesses who have not signed on to the program and encouraging them to join with other visitor industry businesses. The CBJ supports and endorses the Tourism Best Management Practices program, and encourages all to participate.

Kirby Day, (primary industry contact)

Princess Cruises/Holland America Group

c/o Travel Juneau, 800 Glacier Avenue #201, Juneau, AK 99801

Phone: 907-364-7250 / Email: kday@hagroup.com

CBJ Website: www.juneau.org/tourism / **TBMP Website:** www.tbmp.info

TBMP Hotline

Email: hotline@traveljuneau.com

Phone: 907-586-6774

(ADEC) Alaska Department of Environmental Conservation

For concerns with vessel visible emissions, call ADEC at 907-465-5278

ATTACHMENT A: Commercial Passenger Vehicle Code

In addition to the voluntary guidelines above, drivers are required to follow CBJ commercial passenger vehicle codes and traffic laws, which include the following:

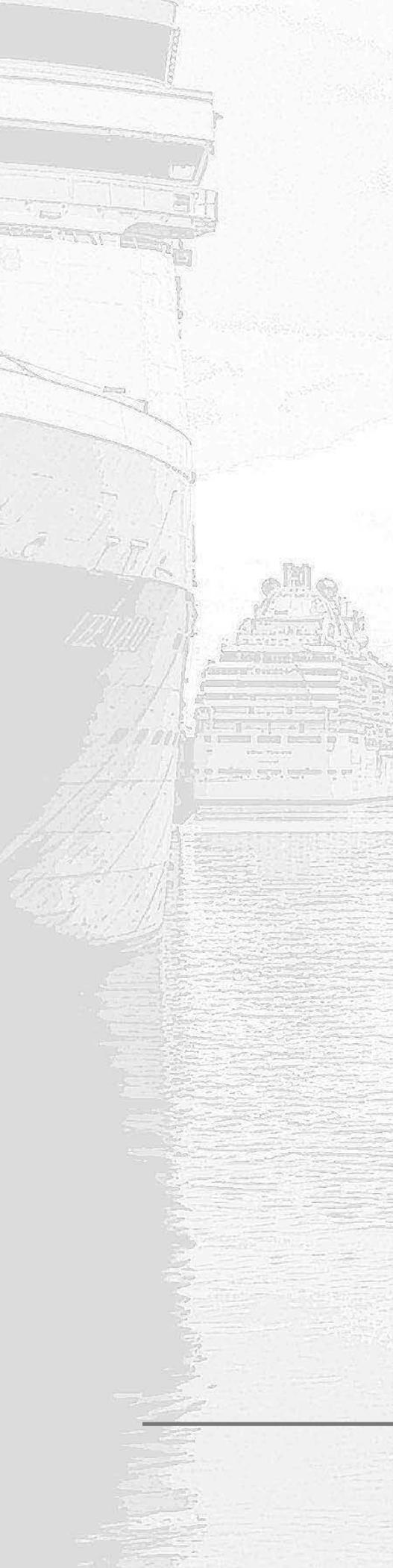
1. Drivers will not park, stop vehicles or disembark passengers on bridges throughout CBJ, including but not limited to Salmon Creek, Montana Creek and Brotherhood Bridges {CBJ 72.02.360(a)(1)(g)}.
2. Drivers will not block designated bike paths {CBJ 72.02.400}.
3. Drivers will pay special attention to crosswalks throughout CBJ and must stop for pedestrians using crosswalks {CBJ 72.02.155}.
4. Drivers will use Basin Road in a safe and responsible manner and adhere to the speed limit of 10 m.p.h. {CBJ 72.02.275(a)}.
5. Drivers will use appropriate loading and unloading zones {CBJ 72.12.045, 050, 060}.
6. Drivers are prohibited from making U turns unless otherwise noted {CBJ 72.10.095}.

ATTACHMENT B: Marine Vessel Visible Emission Standards (18 AAC 50.070)

Within three miles of the Alaska coastline, visible emissions, excluding condensed water vapor, may not reduce visibility through the exhaust effluent of a marine vessel by more than 20 percent except as follows:

1. while at berth or at anchor, visibility may be reduced by up to 100 percent for periods aggregating no more than
 - a three minutes in any one hour; and
 - b an additional three minutes during initial startup of a vessel; for purposes of this subparagraph, "initial startup" includes the period during which a vessel is testing equipment in preparation to casting off or weighing anchor;
2. during the hour immediately after weighing anchor or casting off, visibility may be reduced under one, but not both, of the following options:
 - a. visibility may be reduced by up to 40 percent for that entire hour; or
 - b. visibility may be reduced by up to 100 percent for periods aggregating no more than nine minutes during that hour;
3. during the hour immediately before the completion of all maneuvers to anchor or make fast to the shore, visibility may be reduced under one, but not both, of the following options:
 - a. visibility may be reduced by up to 40 percent for that entire hour; or
 - b. visibility may be reduced by up to 100 percent for periods aggregating no more than nine minutes during that hour; and
4. at any time not covered by (1)–(3) of this section, visibility may be reduced by up to 100 percent for periods aggregating no more than three minutes in any one hour.





ATTACHMENT C: The Sounds of a Port

Included as part of the operating procedures of any large vessel is the need, requirement, and ability to signal other vessels in the area of their position (in areas of restricted visibility) and of their intentions (when under way, or getting under way). These signals are required for safe navigation. In addition, many small vessel operators may not have or may not consistently monitor their VHF radios. Therefore, the only way for large vessels to communicate (regardless of visibility issues) is via sound signals. This is a common practice in the maritime industry around the world.

The USCG regulations require vessels to use their whistles to signal when they are in an area of restricted visibility, which is defined as “any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms, or any other similar causes.”

The USCG defines ship's whistle as any sound signaling appliance capable of producing the prescribed blasts and which complies with the specifications in Annex III to these Regulations.

This whistle must meet USCG specifications for audibility. For vessels 200 meters in length or more, which encompasses most large cruise ships calling in Juneau, the sound must produce 143 db of sound 1 meter from the whistle in the direction of maximum intensity, and be audible for 2 nautical miles in the direction of maximum intensity. This is why a ship's whistle may sound quite strong if one is positioned directly in front of the ship.

Regulations require ships to signal under the following circumstances:

1. When making way astern, day or night, ships are required to sound three short blasts on the ship's whistle to announce their intention of going astern. This is why a ship will signal with three short blasts (day or night) when departing the port and coming off the dock with engines operating astern.
2. When conducting an USCG Safety of Life at Sea drills or inspections, the ship is required to sound 6 short blasts and one long blast on the ship's whistle to initiate the drill or inspection. During the drill, certain signals may also be used to announce lowering of the lifeboats or all clear. During such drills and inspections, ships are required to use all ship's public address systems, including inside and outside speakers. The intention in every case is to conduct a drill or inspection as if the exercise is an actual emergency event, which requires ships to use the full complement of signaling capabilities a vessel would have at its disposal during a real emergency.

Finally, there are other times when a ship will use its whistle and/or public address system to ensure safe navigation, or for other safety or emergency reasons that may occur onboard ship.

The cruise industry is keenly aware of the sensitivity of some Juneau residents to the sounds of these signals and procedures, and will continue to minimize unnecessary use of the ships' whistles and outside public address speakers.

(For more detailed information, reference “International Regulations for Prevention of Collisions at Sea, 1972 (72 COLREGS) <http://www.uscg.mil/vtm/pages/rules.htm>)

ATTACHMENT D: TBMP Employee Agreement (sample #1)

TEMSCO Helicopters, Inc.

TBMP Employee Partnership Agreement

As an employee of TEMSCO Helicopters, Inc. in Juneau, I certify that I have read and fully understand the attached Tourism Best Management Practices (TBMP) program.

In an effort to demonstrate my personal commitment to make the visitor season as enjoyable as possible for visitors and local residents alike, to the best of my ability, I will honor the guidelines as outlined in this program. Further, I will convey to my fellow employees in the visitor industry the importance of operating our businesses in a manner that is both responsible and sensitive to neighborhood concerns.

Employee Signature

Date

Employee Signature

Date

Supervisor/Trainer Name

ATTACHMENT E: TBMP Employee Agreement (sample #2)

COASTAL HELICOPTERS, INC.

TBMP Employee Partnership Agreement

As an employee of Coastal Helicopters, Inc. in Juneau, I certify that I have read and fully understand the attached Tourism Best Management Practices (TBMP) program.

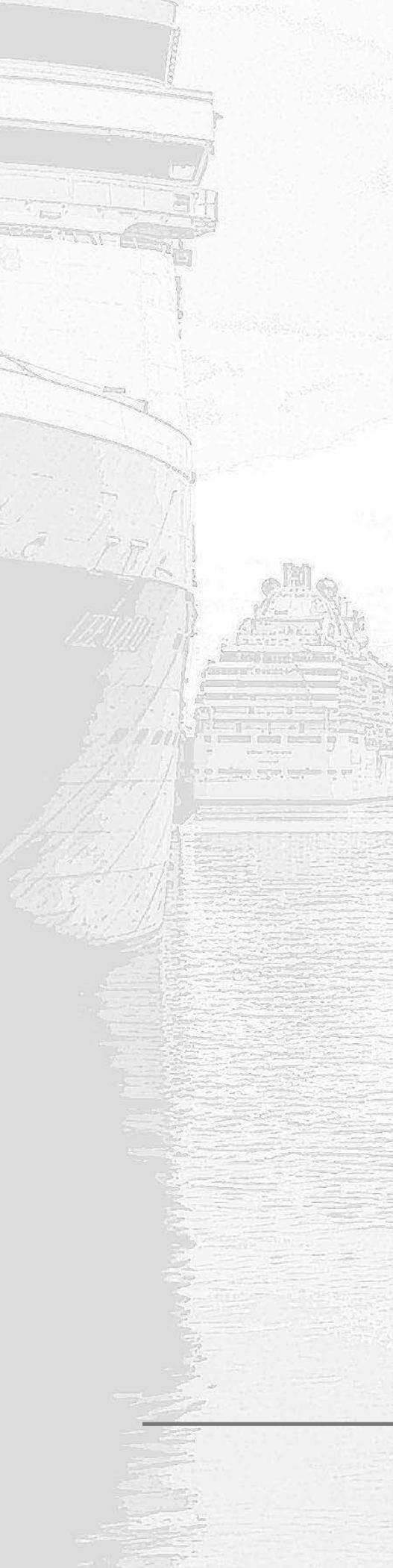
In an effort to demonstrate my personal commitment to make the visitor season as enjoyable as possible for visitors and local residents alike, to the best of my ability I will honor the guidelines as outlined in this program. Further, I will convey to my fellow employees in the visitor industry the importance of operating our businesses in a manner that is both responsible and sensitive to neighborhood concerns.

Employee Name Printed

Employee Signature

Date





ATTACHMENT F: TBMP Internal Observation Form

TBMP Participant,

A staff member has reported an instance that may have been out of compliance with one or more of the guidelines established in the TBMP program. The following is a brief description of the observed activity. Please complete the bottom portion of this form and return it to us as verification that you are aware of the situation.

To further improve the outcome of TBMP, the assistance of the staff of all participants has been enlisted to watch not only their company's operations, but operations throughout the industry. We can be stronger by helping each other.

Don't hesitate to call our owner/manager to discuss this issue further. If any of our operations were viewed to be possibly out of compliance we hope that you would extend us the same courtesy of communicating similar information.

Thank you, and again, don't hesitate to contact our owner/manager for clarification.

Date of observed activity: _____ Time: _____ am / pm

Observed activity:

Signature of Manager of observed company

Phone

Email

Email Report to: hotline@traveljuneau.com

Participant explanation:

Corrective action taken (if necessary):

Signature of Manager of observed company

Phone

Email

Email Report to: hotline@traveljuneau.com

ATTACHMENT G: TBMP Air Operator Letter of Agreement Juneau Commercial Operators Letter of Agreement

Airspace Users—Juneau, Alaska and Vicinity

Juneau Airspace Letter of Agreement Revision Number 23

Effective Date: May 1, 2020

LETTER OF AGREEMENT

Airspace Users—Juneau, Alaska and Vicinity

This letter of agreement is entered into for the purpose of establishing safe operating practices in the Juneau Airport Class D surface area and the uncontrolled airspace in the geographic areas surrounding Juneau, Alaska to include, (1) the Juneau Icefield and its glacier drainages, (2) Gastineau Channel and Taku Inlet to include the Taku Glacier ice field, and (3) Lynn Canal, Glacier Bay and Cross Sound/Icy Strait as described in Appendices A, B, C, and D to this agreement.

The intent is to ensure horizontal and vertical separation of aircraft, and to ensure aircraft on common routes are on the same radio frequencies. These routes and procedures are designed to include commercial aircraft operations (air carriers and tour operators), both fixed and rotary wing, special use operations (para-gliders, powered and non-powered parachutes), general aviation, and military users.

The methods employed include preferred routes, primary and secondary reporting points, radio frequencies, frequency changeover points, and specific altitudes for specified direction of flight at traffic conflict areas.

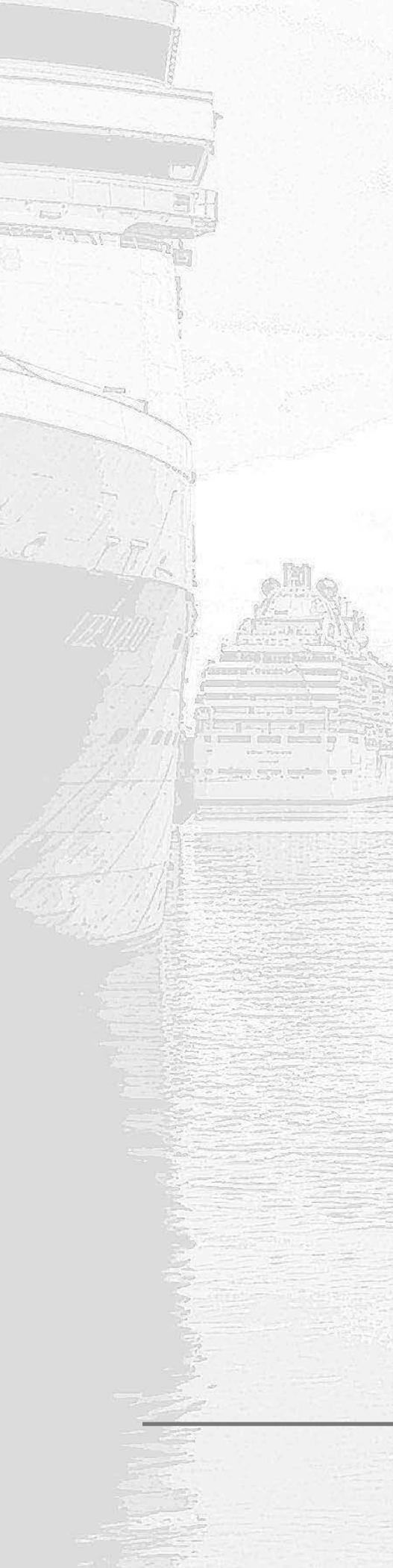
The procedures in this agreement are based on effective procedures developed over years of use by local commercial operators. The topography and prevailing weather surrounding Juneau, Alaska channels aircraft into common routes, creating potential conflicts between aircraft regardless of the type of operation being conducted. The largest concentration of aircraft is comprised of VFR Commuter traffic and air tours. However, all aircraft are geographically restricted to the use of the same routes.

Signature of an aircraft operator to the routes and procedures contained in this Juneau Operators Letter of Agreement (LOA) indicates voluntary compliance, in that while operating on the described routes, these procedures should be adhered to. This does not restrict an aircraft operator from utilizing non-depicted routes. Deviations from this letter of agreement may be made after verbal coordination with other affected parties. This agreement does not relieve aircraft operators and pilots from adhering to Federal Aviation Regulations, or Operations Specifications issued to that company by FAA Flight Standards. It remains a right and responsibility for a pilot to deviate from any procedure if required to ensure the safety of their aircraft, or when weather conflicts require.

Modifications to a specific area procedure will be made via date and numbered revisions to the specific appendix or page, including a signature agreement line for each party to this agreement. This agreement is valid until the end of each calendar year.

A website link to the Letter of Agreement may be found at: www.juneau.org/tourism





ATTACHMENT H: Marine Mammal Protection Act and Endangered Species Act Regulations

MARINE MAMMAL PROTECTION ACT; TITLE 50 PART 216 REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS

50 CFR 216.11 Take Prohibitions

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.

The Marine Mammal Protection Act prohibits the **TAKE** of all marine mammal species in U.S. waters. Take means “to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill,” and harassment means “any act of pursuit, torment, or annoyance which has the potential to injure a marine mammal or marine mammal stock in the wild; or 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, sheltering.

Southeast Alaska:					
Haulout		Latitude	Longitude		
Major Haulout	Benjamin Island	58 33.5 N	134 54.5 W		
	Biali Rock	56 43.0 N	135 20.5 W		
	Biorka Island	56 50.0 N	135 34.0 W		
	Cape Addington	55 26.5 N	133 49.5 W		
	Cape Cross	57 55.0 N	136 34.0 W		
	Cape Ommaney	56 10.5 N	134 42.5 W		
	Coronation Island	55 56.0 N	134 17.0 W		
	Gran Point	59 08.0 N	135 14.5 W		
	Graves Rock	58 14.5 N	136 45.5 W		
	Lull Point	57 18.5 N	134 48.5 W		
	Sunset Island	57 30.5 N	133 35.0 W		
Timbered Island	55 42.0 N	133 48.0 W			
BOUNDARIES TO					
Major Rookeries	Rookery	Latitude	Longitude	Latitude	Longitude
	Forrester Island	54 51.0 N	133 32.0 W	54 52.5 N	133 35.5 W
	Hazy Island	55 52.0 N	134 34.0 W	55 51.5 N	134 35.0 W
	White Sisters	57 38.0 N	136 15.5 W		

TAKE includes feeding or attempting to feed a marine mammal in the wild. Some exceptions for take are made for authorized scientific research and subsistence hunting by Alaska Natives.

50 CFR 216.18—Special Prohibitions for Approaching Humpback Whales in Alaska

- b** Approaching humpback whales in Alaska—(1) Prohibitions. Except as provided under paragraph (b)(2) of this section, it is unlawful for any person subject to the jurisdiction of the United States to commit, to attempt to commit, to solicit another to commit, or to cause to be committed, within 200 nautical miles (370.4 km) of Alaska, or within inland waters of the state, any of the acts in paragraphs (b)(1)(i) through (b)(1)(iii) of this section with respect to humpback whales (*Megaptera novaeangliae*):
- i** Approach, by any means, including by interception (i.e., placing a vessel in the path of an oncoming humpback whale so that the whale surfaces within 100 yards (91.4 m) of the vessel), within 100 yards (91.4 m) of any humpback whale;
 - ii** Cause a vessel or other object to approach within 100 yards (91.4 m) of a humpback whale; or
 - iii** Disrupt the normal behavior or prior activity of a whale by any other act or omission, as described in paragraph (a)(4) of this section.
- a (4)** Disrupt the normal behavior or prior activity of a whale by any other act or omission. A disruption of normal behavior may be manifested by, among other actions on the part of the whale, a rapid change in direction or speed; escape tactics such as prolonged diving, underwater course changes, underwater exhalation, or evasive swimming patterns; interruptions of breeding, nursing, or resting activities, attempts by a whale to shield a calf from a vessel or human observer by tail swishing or by other protective movement; or the abandonment of a previously frequented area.

ENDANGERED SPECIES ACT; TITLE 50 PART 224 REGULATIONS GOVERNING ENDANGERED MARINE AND ANADROMOUS SPECIES

ENDANGERED SPECIES ACT; TITLE 50 PART 226 DESIGNATED CRITICAL HABITAT

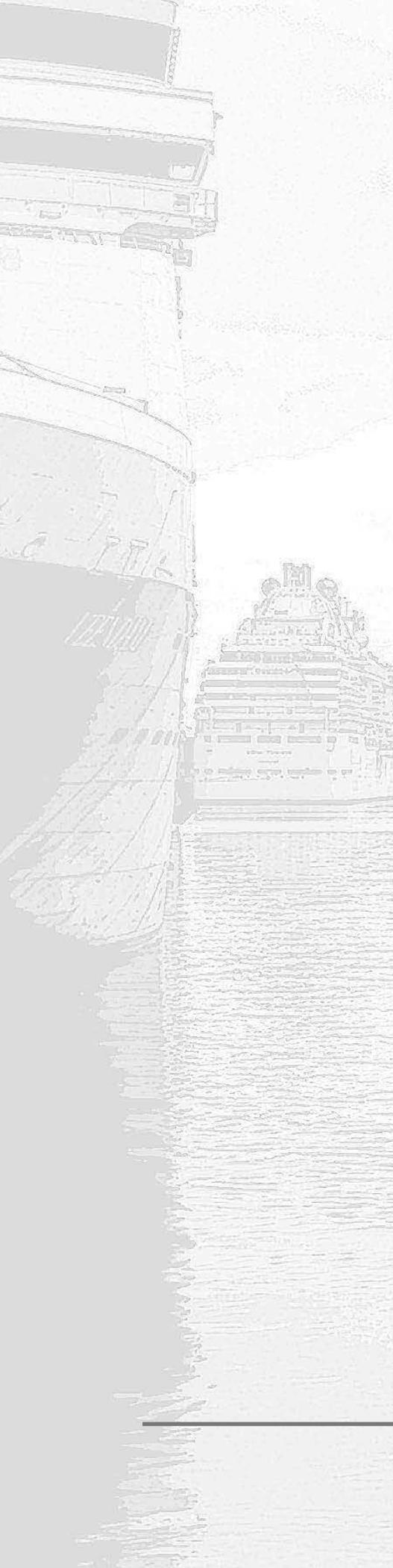
50 CFR 226.202 Critical habitat for Steller sea lions

(a) Alaska rookeries, haulouts, and associated areas. In Alaska, all major Steller sea lion rookeries identified in Table 1 and major haulouts identified in Table 2 and associated terrestrial, air, and aquatic zones. Critical habitat includes a terrestrial zone that extends 3,000 feet (0.9 km) landward from the baseline or base point of each major rookery and major haulout in Alaska. Critical habitat includes an air zone that extends 3,000 feet (0.9 km) above the terrestrial zone of each major rookery and major haulout in Alaska, measured vertically from sea level. Critical habitat includes an aquatic zone that extends 3,000 feet (0.9 km) seaward in State and Federally managed waters from the baseline or basepoint of each major rookery and major haulout in Alaska that is east of 144 deg. W. longitude. Critical habitat includes an aquatic zone that extends 20 nm (37 km) seaward in State and Federally managed waters from the baseline or basepoint of each major rookery and major haulout in Alaska that is west of 144 deg. W. longitude.

Critical habitat for Steller sea lions

Major haulout and major rookeries in Alaska





ATTACHMENT I: 2020 Wilderness Best Management Practices
2020 Wilderness Best Management Practices for Tracy Arm-Fords Terror Wilderness
(Including all of Holkham Bay, Tracy Arm, Endicott Arm, and Ford's Terror)
(Note: this WBMP document is for informational purposes and will be updated mid-summer 2020)

Agreements Regarding Vessel Operators

This program is a cooperative effort between vessel operators and the Tongass National Forest. Initiated in 2008, Wilderness Best Management Practices are intended to minimize the impacts of tourism and vessel operations in the waters adjacent to the Tracy Arm-Fords Terror Wilderness in a manner that addresses both concerns for our natural resources and operators' concerns for safety and passenger service. By actively participating in this voluntary program, operators demonstrate their commitment to a sustainable use of wilderness resources.

The following agreements will advance wilderness values but are not intended to compromise vessel safety.

RESPECT OTHERS: Operators recognize the importance of preserving an authentic Alaskan wilderness experience for all users and agree to the following measures:

- **SCHEDULES:** As practicable, commercial operators shall make their schedules available and communicate any changes to help minimize potential conflicts with other users. Operators are encouraged to share schedules via the Ship Schedules folder on the WBMP blog and through other means. Cruise ships will list their estimated inbound and outbound bar crossing times in advance on their schedules to help other operators coordinate. If an operator modifies their scheduled itinerary due to ice conditions or other factors, the operator will do their best to inform other users of their revised plans (e.g. via radio, posting on the WBMP blog, using email and/or sat phone). It is in the best interest of all users to have up-to-date itineraries and the most accurate conditions available.
- **FORDS TERROR:** Vessels with more than 250 passengers agree not to enter Fords Terror, including the portion that opens from the north shore of Endicott Arm.
- **RECOGNIZE OTHER USERS:** Tracy and Endicott Arms, Holkham Bay and Ford's Terror experience use from commercial and noncommercial users, including hunters, fishers, paddlers, boaters, hikers, photographers, wildlife viewers and wilderness recreationists. In order to facilitate the enjoyment and sustainable use of the wilderness area, all motorized vessel operators agree to maintain a safe and respectful distance from other users and to avoid them whenever possible.
- **MINIMIZE IMPACTS:** Operators agree to do their utmost to minimize impacts, including wakes, noise and operations that might affect paddlers, other boats, and wildlife such as bears, nesting birds, and hauled-out seals. A wake is an extension of a vessel's operations and can often be reduced by lowering speed. When in proximity to wildlife, motorized vessels, non-motorized vessels and sensitive areas, be mindful of wake impacts and strive to minimize disturbance. Paddlers acknowledge that use of the marine radio to announce their presence will assist motorized vessel operators in achieving these goals.

COMMUNICATE: All operators acknowledge the importance of communication to the success of this agreement and pledge the following commitments:

- **USE MARINE RADIOS** to share pertinent information such as operator intentions and updates on sea and ice conditions. Operators agree to keep communications respectful and concise. Monitor marine radio channels 16/13 and other working channels.
- **MAKE SÉCURITÉ ANNOUNCEMENTS** prior to crossing bars, rounding blind corners, conducting paddlecraft operations, off-loading/picking-up passengers and when appropriate to preface other navigational safety messages. Doing so will help others adjust to minimize impacts to your operations.

- **POST ON THE WBMP BLOG** (<http://wildernessbmp.pbworks.com/w/page/14933240/FrontPage>) to share schedule changes, ice conditions, provide feedback, or other information and concerns about Tracy Arm-Fords Terror Wilderness. The blog contains a link to request access for new users.
- **INFORM OTHER OPERATORS** of schedule changes, such as diverting from one Arm to another, cancelling calls altogether, or making significant timing changes, and do so in as timely a manner as possible.
- **ENGAGE IN DISCUSSIONS** about WBMP implementation and improvements.

PRESERVE QUIET: All operators recognize the importance of quiet and solitude and will minimize vessel announcements and signals while in the Tracy Arm-Fords Terror Wilderness. While interpretation of wilderness values and marine ecology for passengers is important, operators agree to limit their outside announcements to preserve wilderness values of others in the vicinity (see Exhibit A). Operators agree to avoid announcements prior to 8:00am whenever possible, to limit the duration of announcements to about 5 minutes, to limit the number of announcements, and to lower the volume of announcements on outside decks to the minimum required for communication and safety. Operators agree to follow the Forest Service's recommended locations for these interpretive announcements (see Exhibit B map). The Forest Service will also attempt to provide alternative methods of interpretation such as brochures, maps, and podcasts. Operators agree not to use whistles, horns or other noisemaking devices except as required for navigational, safety or emergency purposes.

MAINTAIN CLEAN AIR: All vessel operators agree to comply with the Marine Vessel Visible Emissions Standards (18 AAC 50-.070) and take all available and reasonable steps to minimize visible stack emissions while in Tracy Arm-Fords Terror Wilderness. Recognizing that the unusually cold, still air of these glacial fjords can trap persistent haze, operators agree to take proactive steps to manage visible emissions, such as seeking engineered solutions and improvements to emissions monitoring. Visible stack emissions are regulated by the Alaska Department of Environmental Conservation and monitored by the US Forest Service in cooperation with Alaska Department of Environmental Conservation. Forest Service rangers will provide timely feedback to vessel operators resulting from their observations.

PROTECT WILDLIFE: All operators agree to conduct their business in a manner which, whenever possible, avoids changing the natural behavior of wildlife in their vicinity including bears, mountain goats, whales, and nesting birds such as terns and oystercatchers.

Seals: Based on research by federal and state agencies, NOAA Fisheries recommends the following guidelines for all vessel types and at all glacial areas. It may not be practicable to follow every guideline on each visit, but vessel operators should exercise caution to minimize disturbance to seals.

1. All vessels (kayaks to cruise ships) should strive to maintain 500 yards (about 0.25 mi) from seals without compromising safe navigation. Make an approach plan to avoid surprising seals. Be equally cautious to reduce disturbance when departing the fjord as arriving.
2. Minimize wake, avoid abrupt changes in course or engine pitch, and avoid loud noises (such as ice collisions) in the vicinity of seals. Consider avoiding use of PA systems on outer decks.
3. Try to avoid traveling through thick ice, which provides habitat for birthing and nursing of pups. The absence of seals on the ice doesn't mean the area isn't being used.
4. Time visits when feasible to minimize overlap with the peak numbers of seals hauled out midday. Research shows most seals are hauled out and vulnerable to disturbance between 9 am and 4 pm.
5. Tracy Arm guidelines May 15 to June 30:
 - During seal pupping, vessels should try to restrict travel to the southwestern half of the arm with 580 yards (approx. 0.33 mi) of the shoreline, and greater than 1250 yards (approx. 0.75 mi) from the glacier, to avoid higher seal densities along the eastern side of the arm and closest to the glacier.
 - When ice is thick, vessels should stop north of a line drawn east from Tern Point.





The complete Alaska Harbor Seal Approach Guidelines in Glacial Fjords may be found at: <https://alaska-fisheries.noaa.gov/pr/harbor-seals>

EXERCISE RESTRAINT: In order to:

- Reduce impacts to wildlife, including bears, goats, seals and birds;
- Respect the wilderness experience of other users including appreciation of natural and undeveloped qualities and outstanding opportunities for solitude, and
- Honor Wilderness Act checks on technology and human agency,

WBMP signatories agree to refrain from drone use in Tracy and Endicott Arms, Holkham Bay and Ford's Terror. Each season operators may make a one-time exception for drone use after July 31st (after newborn wildlife has fledged or weaned). This exception should:

- Be of short duration,
- Occur in the absence of other users, and
- Maintain as great a distance from wildlife as possible.

As a reminder: for designated wilderness above mean high tide, it is illegal to launch, land or possess a drone in designated wilderness per 36 CFR 261.18(a).

KEEP IT ALIVE: All vessel operators agree to include these guidelines in annual training and respective policies and procedures documentation. Operators will provide feedback about compliance with the above guidelines to other operators and the appropriate agency.

Send emails/queries to:

Sean Rielly, Lead Wilderness Ranger, srielly02@fs.fed.us

Don MacDougall, Wilderness Program Manager, dmacdougall@fs.fed.us

EXHIBIT A: NOAA HARBOR SEAL APPROACH GUIDELINES IN GLACIAL FJORDS FOR VESSEL OPERATORS



**2015 map. South Sawyer Glacier position may have changed. Vessels advised to maintain recommended travel corridor and distance from the encountered glacial face.

NOAA Fisheries recommends the following guidelines specific to Tracy Arm May 15 to June 30:

- During seal pupping, vessels should try to restrict travel to the southwestern half of the arm with 580 yards (approx. 0.33 mi) of the shoreline, and greater than 1250 yards (approx. 0.75 mi) from the glacier, to avoid higher seal densities along the eastern side of the arm and closest to the glacier.
- When ice is thick, vessels should stop north of a line drawn east from Tern Point.



Reference Guideline #57—No Wake Zone—Smugglers Cove Area

EXHIBIT B: RECOMMENDED AREAS FOR INTERPRETIVE ANNOUNCEMENTS

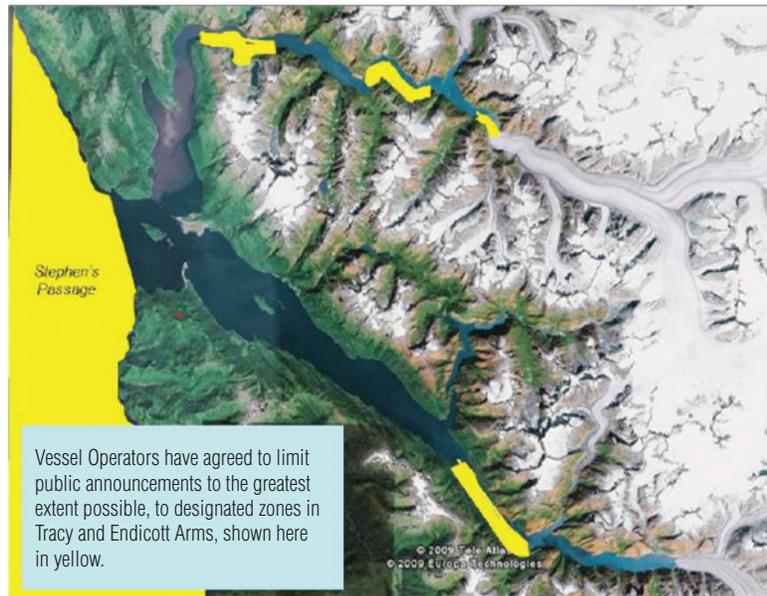
The following is a summary of locations where outside announcements would affect the fewest visitors: (see map)

- 1) Stephens Passage before entering Holkham Bay would be a good place to introduce Tracy Arm. Since the waterway is wide, announcements would not impact campers, kayakers, fishermen on shore, beach-walkers, hunters and other users of the wilderness area.
- 2) There is an approximate five-mile stretch beginning one mile east of the Tracy Arm elbow and ending one mile west of the first large U-shaped valley on the north shore. This would be a good area for short (5 minute) interpretive announcements to be made to guests (between N57.922776/W133.563637 and N57.915954/W133.452213).
- 3) There is another approximate four-mile stretch within the Tracy Arm S turns. It begins one mile north of the third U-shaped valley on the south shore, approximately eleven miles east of the elbow. It ends 1.5 miles west of Sawyer Island. This would be a good area for short interpretive announcements to be made to guests (between N57.887659/W133.307565 and N57.884008/W133.213526).
- 4) At the end of Tracy Arm, a few miles from South Sawyer Glacier is another area where there is an opportunity to present a short (5 minute) interpretive announcement (between N57.860754/W133.131673 and the face of the S. Sawyer Glacier). It would be preferable to leave a “quiet zone” within a few miles of Sawyer Island, to ensure a more peaceful environment for those people who may be camping on the island.
- 5) P.A. announcements are more likely to disturb visitors and wildlife in Endicott Arm due to the greater amount of islands, bays and anchorages. The recommended location for announcements in Endicott Arm is between one mile southeast of the entrance to Fords Terror and one mile northwest of the entrance to North Dawes Inlet (between N57.585560/W133.163017 and N57.515926/W133.053845).





Exhibit B Map: yellow zones depict areas where public announcements might be disruptive.



Recommended language for PA announcement in Stephens Passage or just prior to entering Tracy/Endicott Arm, and/or for printing in ship's daily program onboard which explains the intentions of this joint effort between all vessel operators and the USFS:

We're about to enter one of the most pristine Alaskan environments that we'll see on our voyage. Tracy Arm is a thirty-mile glacial fiord that reaches deep into the Coast Mountains and deep into our glacial past. With old-growth temperate rain forest here at its beginning and active tidewater glaciers at its upper reaches, our visit to Tracy Arm is a trip in time back to the Pleistocene ice age.

Tracy Arm is a special place. Recognizing its extraordinary biological, scenic, and recreational values, Congress protected the surrounding land as part of the National Wilderness Preservation System. The designation provides permanent protection for this part of the Tongass National Forest, ensuring that it remains a place of wild nature. It's a land for wildlife, timeless forests, and the enjoyment of the American public.

To help preserve Tracy Arm's wild character, tour companies and the Tongass National Forest created a set of guidelines for visiting the area. Our cruise company helped develop the guidelines and proudly supports their goals, which include special considerations for wildlife, air quality, and other natural systems. In accordance with the agreement, we will limit our outside announcements within the fiord, helping preserve a quiet environment both for wildlife and for other visitors. During the next few hours, our naturalists will make a few announcements.



c/o Travel Juneau
800 Glacier Avenue #201
Juneau, AK 99801