TO: Visitor Industry Task Force
City and Borough of Juneau

CC: Assembly, City and Borough of Juneau

Dear Chair and Members of the Visitor Industry Task Force,

The Southeast Alaska Whale Watch Association (SEAWWA) is writing to share the operating commitments our members approved on September 28 and clarify our position on new potential City regulation and a vessel cap. We appreciate the task force's invitation to bring forward recommendations and the City's work to balance tourism's benefits with its effects on our community.

Following further discussion and consideration, SEAWWA is unable to support the potential regulatory approach described in our September 16 letter. We recommend addressing the concerns before the task force through the operating commitments and accountability measures outlined below.

Questions also remain about the City's legal authority to establish a vessel licensing system, how it would apply to operators using public and private facilities, and who would administer and enforce it. A system that reaches only part of the fleet could leave the same operational concerns unaddressed elsewhere while placing the burden on a limited group of operators. It could also create competitive advantages based on where passengers board rather than how responsibly vessels operate.

Having considered these concerns, SEAWWA does not support a new City licensing program for whale watching vessels. SEAWWA does not support a moratorium on vessel construction. We favor operating commitments that address community concerns directly while preserving the ability of businesses to compete fairly and invest in safe, responsible operations.

We will continue examining departure coordination, loading practices, and access to fueling and pump out facilities. Given the complex regulatory and jurisdictional questions involved, we believe voluntary measures developed with operators offer the most practical way to achieve shared goals. We welcome the observations of residents, researchers, harbor users, and City staff in identifying where further improvements are needed.

Responding directly to community concerns

Wake impacts approaching Auke Bay and Statter Harbor have been the subject of public discussion, including a request to expand the no wake area. Those discussions identified jurisdictional questions and enforcement demands, with possible approaches involving City, state, and Coast Guard action. City officials also raised direct work with whale watching and tourism operators as a way to address the concern. The concern was raised again this September in public testimony on the proposed harbor passenger fee and at the task force's September 10 meeting.

At a SEAWWA meeting late in the season, members agreed to try extending no wake practices 500 yards beyond the existing buoy when entering and exiting Statter Harbor. Following that trial period, members adopted the practice for member company whale watching vessels at our September 28 meeting. Addressing wake impacts in this area is a central priority for our association and advances a longstanding goal shared by the City, operators, and other harbor users. It demonstrates how clear operating commitments can address community concerns without requiring a costly new City regulatory program.

Based on public input this summer, SEAWWA member companies using Statter Harbor took immediate action to improve access to the main public loading zone and pump out station. Initial feedback from Docks & Harbors indicated that these changes improved access for public users.

We recognize that agreement must be followed by consistent implementation. We will work to ensure that member companies, captains, and crews understand these commitments and that concerns about compliance are addressed.

Community feedback and the task force's work have helped move these efforts forward. Our response includes new operating commitments and the adoption of practices previously presented as TBMP recommendations as agreed SEAWWA standards.

Building on existing Tourism Best Management Practices (TBMP) recommendations and guidelines, members voted to adopt the following association operating standards. The headings distinguish new SEAWWA commitments from measures that adopt or strengthen existing recommendations and practices.

1. Statter Harbor no wake practices (New SEAWWA commitment)
SEAWWA members agreed to extend no wake practices for member company whale watching vessels 500 yards beyond the existing buoy when entering and exiting Statter Harbor.

2. Statter Harbor loading zone (New SEAWWA commitments)
Captains will prioritize using the passenger for hire loading zone first before using the public loading zone when onboarding and offboarding passengers. Captains will not stage in the highlighted yellow area unless actively pumping out their vessels.

3. Coghlan Cut (TBMP recommendation strengthened and adopted as a SEAWWA standard)
Coghlan Cut will be considered a no wake zone at all times for U.S. Coast Guard inspected whale watching vessels.

4. Whale SENSE guidelines (Existing viewing practices formally adopted as SEAWWA standards)
SEAWWA has agreed to officially adopt the current Whale SENSE viewing guidelines below, regardless of the status of the federal NOAA program:

- **Distance:** Remain at least 100 yards away from humpback whales and other marine mammals, consistent with federal law.
- **Time limit:** Limit viewing time around any individual whale or group to a maximum of 30 minutes.
- **Vessel speed:** Reduce speed when approaching and departing whales, avoiding sudden changes in speed or direction.
- **Engine control:** If a whale approaches within 100 yards of a stationary or drifting boat, put engines in neutral and do not reengage until it is safe to do so.
- **Navigation:** Travel on a parallel course to the whale. Avoid head on approaches and do not encircle, trap, or separate groups of whales.
- **Vigilance:** Exercise extra caution around sensitive groups such as mother and calf pairs and bubble net feeding whales.

5. Whale watching vessel numbers and time (Based on a TBMP recommendation)
Between the 100 yard and 500 yard viewing distance, no more than 12 U.S. Coast Guard inspected whale watching vessels will be engaged in watching a whale or group of whales at a given time. Each vessel will stay no longer than 30 minutes on a whale or group of whales per tour.

6. AIS visibility (TBMP recommendation adopted as a SEAWWA standard)
All U.S. Coast Guard inspected whale watching vessels will have AIS, providing visibility that can allow the fleet to better spread out throughout the whale watching grounds.

7. Engine noise (TBMP recommendation adopted as a SEAWWA standard)
To minimize engine noise, vessels will power down or partially power down when in the proximity of whales when it is deemed safe to do so without affecting safe navigation.

8. Captain training and sign off (Expanded implementation of existing TBMP training and acknowledgment practices)
Captains will be trained on these guidelines through individual company captain training sessions and through SEAWWA's all captain preseason meeting. All captains will sign an acknowledgment confirming that they understand and agree to follow these guidelines.

Through TBMP, member companies have also agreed to refrain from revisiting the same whale or group of whales within a two hour period on the same tour. This is an existing TBMP guideline that we reaffirm. We will coordinate with TBMP to communicate SEAWWA's adopted operating standards and support consistent implementation.

Why we favor an operational approach

Many of the concerns discussed by the task force, including wake impacts, vessel behavior around whales, and congestion at loading facilities, depend on how, where, and when vessels operate. A limit on total fleet size would not, by itself, resolve those concerns. Clear operating expectations can address them directly.

The support expressed in our September 16 correspondence was conditioned on any potential permits issued under a proposed system being owned by operators and transferable with the sale of a vessel or business, with the intent of protecting existing investments. Further discussion has raised legal and practical concerns about whether a City licensing system could provide the long term certainty those protections were intended to achieve. Members are concerned that permit conditions could change over time and that a program initially intended to hold the fleet at its current size could later be used to reduce it or restrict the transfer of vessels and businesses.

Our companies make substantial, long term investments in purpose built vessels and facilities. Uncertainty about the ability to continue operating, transfer a business, or maintain, replace, and improve vessels can undermine those investments.

Making our commitments effective

Members elected an interim board on September 28 and expressed support for formally organizing SEAWWA, including establishing bylaws, membership requirements, and voting procedures. This work will provide a clearer foundation for approving association positions and carrying out member commitments.

Wake impacts, safe navigation, and harbor coordination are shared concerns across commercial passenger vessel operations. We plan to establish a formal membership sign up process and invite other commercial passenger vessel operators to participate, so that consistent practices can extend beyond whale watching.

Our member companies sign up for TBMP each year and agree to follow its guidelines and established process for handling complaints and responses. SEAWWA will build on that commitment by helping members implement our agreed operating standards, follow through on concerns, and make corrective changes where needed. We will also evaluate whether these measures are producing measurable improvements on the water and at shared facilities.

TBMP already calls for employee training and signed acknowledgments of the guidelines. Our next phase of work will add clear implementation procedures and written company commitments to SEAWWA's operating standards. As part of that effort, we will continue holding formal training sessions for captains and crews and have them review and acknowledge the association's operating standards at the beginning of each season.

Considering the combined effects

Our businesses contribute to Juneau through jobs, wages, local purchases, visitor spending, sales tax revenue, and the passenger fees, moorage, and other charges we pay to the City and Docks & Harbors. Decisions affecting our ability to operate and invest should weigh those benefits alongside the impacts we are working to address.

The City's daily five ship limit constrains cruise ship arrivals, the primary source of demand for whale watching. That constraint should be considered when evaluating future demand and the need for additional restrictions. Limiting whale watching availability could shift visitor activity to other excursions, roads, and public spaces in Juneau. It could also shift excursion spending to other ports.

Docks & Harbors has linked a proposed increase in harbor passenger fees to operating needs and major capital improvements, including replacement of the Statter Harbor breakwater. We support fair contributions to shared infrastructure. We ask that proposed fees, permitting requirements, and operating restrictions across City, state, and federal agencies be considered together, with a clear explanation of the costs being funded, how those costs are allocated among beneficiaries, and the combined effects on operators using public and private facilities.

Working together on a better path forward

Our members and employees live, work, and raise families here. Many of us also own private boats and enjoy these waters with our families and friends. As members of the boating public, we share an interest in safe navigation, responsible vessel operations, and protecting the waters and quality of life that make Juneau special. We recognize the difficult balance the City is working to achieve and are prepared to work with City officials, our fellow citizens, researchers, and other operators on practical improvements.

We ask the task force to recommend implementation and evaluation of this cooperative approach in place of a new City licensing program or vessel cap. We propose working with the City and TBMP to agree on measurable outcomes and a review schedule, with SEAWWA responsible for reporting on member implementation and follow through.

Our goal is to protect whales, improve conditions on the water, and support safe, responsible businesses within our community.

Please include this letter in the public record as SEAWWA's updated position, superseding the support for regulation expressed in our September 16 correspondence.

This letter, including the positions and commitments stated above, was reviewed and approved by SEAWWA's membership on October 8, 2026.

Thank you for your consideration and for the opportunity to continue this work together.

Respectfully,

Southeast Alaska Whale Watch Association

Member companies

Above & Beyond
AK Sea to Shore
Alaska Galore
Alaska Lighthouse
Alaska Luxury Tours
Alaska Tales
Alaska Travel Adventures
Allen Marine
Dolphin Jet Boat
Gastineau Guiding
Goldbelt Inc.
Harv and Marv
Jayleen's Alaska
Juneau Charters
Juneau Tours & Whale Watch
Juneau Whale Tours