

V1 - OCT 2021



# WATCHING WILDLIFE BY SEA KAYAK

BEST PRACTICE



# INTRODUCTION

Wild Scotland is the Scottish Wildlife and Nature Tourism Operators Association. We represent wildlife tourism companies across Scotland, all of whom are passionate about Scotland's wildlife. These guidelines provide advice on best practice for wildlife tourism companies who aim to provide enjoyable and memorable wildlife-watching experiences whilst minimising impacts on nature and wildlife.

This document is part of the Wild Scotland Best Practice Guideline Series. More details about other guidelines in the series can be found at [www.wild-scotland.co.uk](http://www.wild-scotland.co.uk)

## CONTENT

1. General
2. Responsible Professional Wildlife Watching
3. Good Guiding and Safety
4. The Law
5. Further information



## 1. GENERAL

- All relevant insurances, policy statements (e.g. Health and Safety, Child Protection) and staff disclosures and qualifications should be available for inspection by competent authorities.
- Be aware of local codes of conduct or sensitive areas and adjust your activities accordingly.
- Staff should be encouraged to gain appropriate professional qualifications, such as WiSE accreditation.
- Clients should be reminded not to throw litter into the sea or to drop any onshore.
- Clients should be encouraged to provide feedback on their tour. Where possible, this should be recorded.
- You are encouraged to join the VisitScotland Wildlife Experience Quality Assurance Scheme.
- You are encouraged to display your Wild Scotland and WiSE accreditation stickers on your kayak.

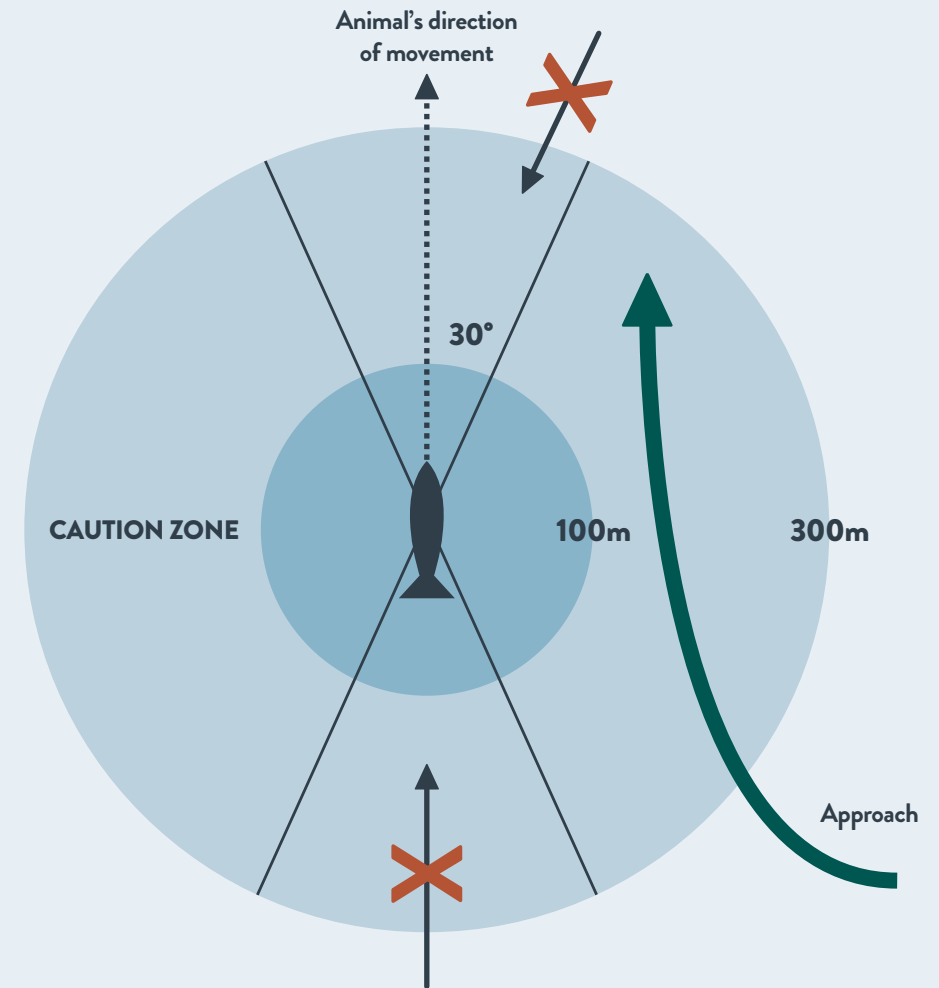
## 2. RESPONSIBLE PROFESSIONAL WILDLIFE WATCHING

All sea kayak groups should operate to, and be familiar with [The Scottish Marine Wildlife Watching Code](#) and reference to the [Scottish Outdoor Access Code](#) is also applicable. Each wildlife experience is different but to ensure best practice and a well-managed experience for customers, Wild Scotland recommends the following for additional consideration:

### Wild Scotland recommends:

- Above all, you should set a good example. If you disturb wildlife, your clients and others watching you will think it is acceptable to do the same. If in doubt, back off (and explain your actions to your clients).
- Do not be tempted to get too close because your clients ask you to. The most genuine wildlife encounters are those where the animals are behaving naturally, so keep your distance.
- Any wildlife encounter should be on the animals' terms. Do not pursue an animal that continuously turns away from the kayakers.
- Keep a good lookout. As soon as you see an animal, start to assess how you are interacting with it and whether it is showing signs of disturbance (e.g. 'heads up' responses, alarm calls, sudden movements or aggressive behaviour).
- If you approach animals (either on land or in the water), do so slowly and cautiously. Be aware that the silent approach of a kayak may cause sudden alarm. Make sure that your movements are steady and predictable and do not approach directly.

## DIAGRAM: RECOMMENDED LINE OF APPROACH



**Credit:** Scottish Marine Wildlife Watching Code:  
A Guide to Best Practice for Watching Marine Wildlife (SNH)

- Seals hauled out on rocks appear to be particularly sensitive to disturbance by kayaks- take extra care in these circumstances. Be aware of the local seal haul-out spots before setting off and avoid approaching them if possible. If individual animals are staring straight at the boat then you may well be disturbing them. Be prepared to move away smoothly, slowly and quietly. If the animals rush into the water, you have disturbed them and you were too close. Remember that if animals rush into the sea, you are not only disturbing the seals, but also affecting the enjoyment of others who may be visiting the site after you.
- Generally, no more than 15 minutes should be spent with an animal, unless the animal is obviously associating with the kayaks and departure may cause disturbance.
- When several wildlife-watching vessels or groups of kayaks are in the vicinity of animals, establish contact with the other vessels or group leaders and co-ordinate your actions to avoid disturbance. Consider limiting your time around an animal and observe the points above.
- Where possible, animals in the water should be approached cautiously from behind at an oblique angle. When you draw level maintain a parallel course to the animal or group of animals. Never approach directly from the front or behind. Within the caution zone (300m) you should constantly assess how your actions may affect the animal and take steps to minimise disturbance. Move away if any signs of disturbance are seen. Refer to the Scottish Marine Wildlife Watching Code Guide to Best Practice for advice on minimum approach distances for different species groups (**See diagram on previous page**).
- Be aware that a group of kayakers may surround an animal in the water, this should be avoided.
- At some popular wildlife watching sites, species such as seals, otters and even some birds may get habituated to certain types of boat and certain noise levels. Be aware that the same animals may well react with alarm at the silent approach of a sea kayak.
- Remember that animals will not always behave in the same way at different sites and at different times of year.
- Be aware that the constant and 'unusual' movement of the paddles may disturb wildlife. A lower paddle angle may create less disturbance. (It has been suggested that some animals may perceive a kayak as a possible 'hunter' eg a killer whale).
- The sound of the paddles may also create disturbance. Try to paddle as silently as possible where safe to do so.
- Sea kayaks allow for exploration of places other vessels are unable to get to, such as sea caves. Be aware that birds nest and roost in sea caves and that seals sometimes haul out at the back of caves at low tide. If you encounter wildlife in a sea cave, back out slowly as you are likely to be blocking their 'escape' route. Hug the wall where safe to do so.
- Take extra care during sensitive times of year in places where animals may be feeding, resting, breeding or with their young.
- Be careful not to scare birds off nests or trample burrows and do not intentionally put up flocks of birds.
- Do not approach otter holts closely and avoid blocking routes to and from the sea.
- Watch out for basking sharks at fronts (often marked on the surface of the water by lines of debris or foam) as they may be feeding and may not be aware of your presence.
- Do not form a barrier between an individual and a group and never split mother and calf pairs.
- If approached by marine mammals, and where it is safe to do so, stop paddling and allow the animal to pass.
- If the animals appear to be following your kayak, maintain a steady course and speed. When you need to break off the encounter, slow gradually to a stop and allow the animals to leave of their own accord. When the animals leave, do not follow.
- Wild Scotland does not encourage feeding, touching, riding or swimming with marine mammals or basking sharks.
- Do not deliberately identify nest sites of rare or protected species for your clients; avoid them if possible.
- If you are going ashore, choose your landing area carefully. Do not land near a seal haul-out site or breeding colony. Respect seabird breeding areas.
- Do not leave unaccompanied clients in sensitive areas where they may inadvertently cause disturbance.
- It is the responsibility of the group leader to move away if any signs of disturbance are observed.
- It is the responsibility of the group leader to be aware of codes for specific species and specific locations and to take advice on local issues.
- Where possible keep a log of wildlife sightings. Sightings of key or unusual species should be recorded and submitted to a recognised sightings database (**see Wild Scotland website for further information**).
- If you see anyone intentionally disturbing or harassing basking sharks or other marine wildlife, the incident should be reported to the local Police Wildlife Liaison Officer with details such as boat type and registration as well as any photos or video footage.

### 3. GOOD GUIDING AND SAFETY

- Include wildlife in the planning of your trip, both to reduce possible disturbance, as well as enhance your clients' experience and demonstrate best practice.
- Encourage people to become involved with looking for species – it helps keep clients engaged during the trip.
- Carry waterproof binoculars to maximise the quality of experience for guests, particularly where it is necessary to stand off animals or birds that would be disturbed by a closer approach.
- When around wildlife, ask clients to keep noise and movement to a minimum to avoid disturbance.
- Guests should be told about, or have information available on the natural history and behaviour of species seen. It is not enough to merely point out species. Aside from maps and identification sheets, field guides and other literature can be carried by the guide and shown to clients at lunch stops or campsites.
- If you are landing or camping with your group as part of your trip, be careful where you go ashore. Avoid close proximity to breeding colonies and stay with your guests in sensitive areas.

- Ensure that when clients are ashore they understand how to behave responsibly, such as keeping back from puffin burrows, not approaching seal pups etc.
- If possible, carry your kayak (rather than drag it) when moving overland.
- If camping on the coast follow the Mountaineering Council of Scotland's guide to Wild Camping and make sure that you do not pitch your tent close to seal colonies, sites used by birds for nesting or roosting or otter holts.
- For more detailed information about Leave No Trace approach to sea kayaking and camping contact Wild Scotland who will be able to arrange certificated training for your staff.

### 4. THE LAW AND WILDLIFE

It is your responsibility as a tour operator to be familiar with the law relating to wildlife. A summary of some of the key elements relating to marine wildlife law are shown below, but this is not exhaustive, both in terms of actions and species. Reference should always be made to the legislation itself.

#### It is an offence:

- to deliberately or recklessly capture, kill, injure or disturb any whale, dolphin, porpoise or basking shark;
- to damage or destroy a breeding site or resting place of any whale, dolphin, porpoise or basking shark;

- to deliberately or recklessly harass any whale, dolphin, porpoise or basking shark;
- to take or keep any egg of a wild bird;
- to take, damage, destroy or otherwise interfere with any nest habitually used by any wild bird included in Schedule 1 of the 1981 Act as amended;
- to obstruct or prevent any wild bird from using its nest;
- to intentionally or recklessly harass any wild bird included in Schedule 1 of the 1981 Act;
- To intentionally or recklessly harass seals at a designated haul-out site. For more information on designated seal haul-outs, refer to [here](#).
- to take, damage or destroy or otherwise interfere with the nest or nest sites of birds included on schedule A1 of the 2004 Act (presently this only applies to the white-tailed sea eagle);
- to harass birds listed on schedule 1A of the 2004 Act (presently this only applies to the white-tailed sea eagle);
- specific laws also apply to seals and flora;
- If you see anyone intentionally disturbing or harassing marine wildlife, the incident should be reported to the local Police Wildlife Liaison Officer with details such as boat type and registration as well as any photos or video footage.

### 5. FURTHER INFORMATION

See the Wild Scotland website on [www.wild-scotland.co.uk](http://www.wild-scotland.co.uk) for current information.

#### Also:

[Scottish Canoe Associations Environmental Guidelines](#)

[Scottish Outdoor Access Code](#)

[Scottish Marine Wildlife Watching Code](#)

For an up to date summary of legislation relating to birds, visit [here](#).



# QUESTIONS & CONTACT

Should you have any queries regarding the content of this document, or require clarification on any points, please contact us.

[info@wild-scotland.co.uk](mailto:info@wild-scotland.co.uk)

