

SEMARNAT

SECRETARÍA DE
MEDIO AMBIENTE
Y RECURSOS NATURALES



CONANP
COMISIÓN NACIONAL
DE ÁREAS NATURALES
PROTEGIDAS

**CODE OF CONDUCT FOR
GREAT WHITE SHARK CAGE DIVING
IN THE GUADALUPE ISLAND BIOSPHERE RESERVE**



CODE OF CONDUCT FOR GREAT WHITE SHARK CAGE DIVING IN THE GUADALUPE ISLAND BIOSPHERE RESERVE



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// INTRODUCTION

Guadalupe Island is **the last frontier of Mexico at its western end**, its volcanic origins and its distance from the mainland give it a unique biodiversity. Rooted 4,500 meters deep in the Pacific Ocean, this volcanic peak emerges 5,800 meters, in a privileged position, both for the establishment and development of numerous animal and plant species, as for sailors found a place in this territory to stop during their travels. The will of the Mexican government to recover and conserve the biodiversity of the island, has been an arduous and commendable effort, so for the protection and conservation of Guadalupe Island, in April 25th, 2005 the Ministry of Environment and Natural Resources (**SEMARNAT**) published in the Official Gazette of the Federation (First Section), the Decree that declared Natural Protected Area with the category of Biosphere Reserve, the island, its islets and the surrounding marine area.

The Biosphere Reserve are outstanding biogeographic area at national level, representative of one or more ecosystems that have not been significantly altered by the action of human beings or that need to be preserved or restored because they provide habitat for emblematic species of the national biodiversity, including those considered endemic, threatened or in danger of extinction.

The Great White Shark, *Carcharodon carcharias*, is part of the pelagic-coastal and oceanic shark assemblage that regularly visit the surrounding waters of Guadalupe Island and which are part of the reserve. Worldwide, this shark species has received special attention from the international scientific community because its **natural abundances have diminished** as a result of indiscriminate fishing in some regions of the world such as Australia and South Africa.

The great white shark is a **vulnerable species**, it has a low reproductive potential, late sexual maturity, slow growth rate and high longevity, therefore, in 2004 it was included in **Appendix II of the Convention on International Trade in Endangered Species (CITES)** . To be included in this appendix requires countries in whose waters dwells , to develop monitoring programs and control over their commercial exploitation . Due to this nomination , nations like Australia , South Africa and the United States , have implemented in recent years laws that **forbids great white sharks fishing**.

**GREAT WHITE
SHARK IS A
VULNERABLE
SPECIES AND
IS SUBJECT TO
PROTECTION
FOR ITS
CONSERVATION**

In Mexico, the Great White Shark is included in **NOM-059-SEMARNAT-2010** as threatened species. Also, **SAGARPA** (Secretary of Agriculture, Livestock, Rural Development, Fisheries and Food) guaranteed its protection along with other species of elasmobranchs in the Official Standard **NOM-029-PESC-2006**. Shark and Rays Responsible Fishing, specifications for its use, this rule prohibits fishing and death of individuals of Great White Sharks in any context, this law was published in the Official Journal of the Federation on February 14th, 2007; as in January 27th, 2014, was published the agreement for which permanent closure to fishing for Great White Sharks (*Carcharodon carcharias*) is set to waters of federal jurisdiction of Mexico.

The National Development Plan 2013-2018, through the National Program for Protected Areas 2014-2018, states that, because of Mexico's broad representation of ecosystems, the biological and cultural wealth of our country, as well as ecosystem goods and service, it is vital for the development of Mexico and the welfare of all Mexicans. That is why, since its creation **CONANP** has focused its efforts to implement a social vision conservation, recognizing that it is possible to maintain the ecosystems of our country and its biodiversity, with the active and inclusive participation of society, particularly those whose livelihood and way of life are linked to the use of these resources.

The waters surrounding Guadalupe Island constitute a region where an important natural concentration of Great White Sharks is observed during the months of July to January, which in recent years has generated a great interest among tourism service providers, both domestic and foreign, to conduct tours that aim to observe this species in the wild.

Given its biological fragility and an important ecological role in the coastal ecosystem of the island it is necessary to regulate and monitor these ecotourism activities by the National Commission of Natural Protected Areas (**CONANP**), with the purpose of prevent possible impacts and disturbances affecting the behavior of the species and the natural functioning of the ecosystem.

To this end, the Code of Conduct for Great White Shark Cage Diving in the Guadalupe Island Biosphere Reserve, was developed.

As part of the strategy of sustainable management of the reserve was determined in Program Management Reserve tourism carrying capacity , considering the variables of physical space , depth and resilience of the ecosystem.

The **Manual of Good Practice or Code of Conduct** is a set of actions to prevent incorrect practices in order to ensure rational use of resources, in this case the great white shark that regularly visit the coastal waters of Guadalupe Island. The decision to carry out this task aims at determining the guidelines which should hold the activity , due to ensure the **conservation of the species** and achieving sustainable development from an environmental , social and economic terms.

The development of this manual was carried out using the knowledge generated by the Management of the Biosphere Reserve Guadalupe Island (**DRBIG**) including contributions received and in close coordination and collaboration with authorities from the three levels of government , academia, specialists in this area, tourism operators and users, with which many ideas that helped the construction and integration of the information in this document came together.



// SECTION

1

REGULATION



1 **By the regulation of the Guadalupe Island Biosphere Reserve (RBIG)**

- 1.1 The permit holders and their operators **must know the DECREE** in which was declared as natural protected, published in the Federation Official Gazette on April 25th, 2005.
- 1.2 The permit holders and their operators **will have to know the Management Program of the Guadalupe Island Biosphere Reserve**, published in the Official Gazette on June 17th, 2011.
- 1.3 The permit holder is obliged to inform and **collect the fees from their passengers** of the corresponding right of the Article 198-I and 198 -III of the Federal Law and inform DRBIG about the collection. It will also be responsible for verifying that passengers carry their corresponding bracelets or conservation passports.
- 1.4 The permit holders and their operators **shall inform passengers that Guadalupe Island is a Mexican island of federal jurisdiction, decreed as a Biosphere Reserve** because of its biological richness, in terms of ecosystems as well as of land and marine species of flora and fauna, and that it is subject to strict regulations to prevent disturbance and degradation due to anthropogenic activities.



- 1.5 The permit holder will **collaborate with staff from SEMARNAT**, for the precise execution of the applicable regulations of the Reserve, accepting at all times the indications in regard to the protection of the area given by the staff of the Direction of Guadalupe Island Biosphere Reserve (DRBIG).
- 1.6 All permit holders and operators must operate **in accordance with current and applicable environmental legislation**, guided the information specified in this manual. It emphasizes that any violation to the previously indicated regulations will result in the sanction by the competent federal authority in the subject.
- 1.7 All permit holders must **have the permits in their respective field**, provided by the competent federal authorities.
- 1.8 The license holders **are responsible for the actions incurred** by operators, crew and passengers.



// SECTION

2

GENERAL ASPECTS



2 General aspects

- 2.1 In all authorized vessels used to conduct great white shark cage diving activities at the Reserve, **information should be made available to the public** about the Biosphere Reserve legal protection framework. This material should be available at **DRBIG**.
- 2.2 The permit holder will **provide room on board the vessel for the transportation of technical personnel of the Reserve**, in such cases as this is required by **DRBIG**, and with previous notification.
- 2.3 The tourist operators **shall have an insurance of civil responsibility and third-party damages**, effective during the whole season that is covered by the permit.
- 2.4 The permit holders must notify, in writing, to the Ensenada Harbor Master copy to the **DRBIG** and the Mexican Navy, the **dates of arrival and departure of the Reserve**.



- 2.5 Prior to the start of activities all operators must have the **authorization issued by the CONANP**.
- 2.6 Prior to the start of each season, all operators **must have the authorization of the SEMARNAT**, the foregoing in accordance with the administrative rules 4 and 15 fraction III of the management program of the Guadalupe Island Biosphere Reserve.
- 2.7 The permit holder, his operator, crew and clients shall **abstain from landing on Guadalupe Island**, as well as from landing on other islands and rocky islands of the Reserve; they shall spend the night on the authorized vessel. Except in cases of emergency.
- 2.8 The permit holder, his operator, crew and clients shall avoid throwing, pouring or discharging **any type of organic waste**, solid or liquid residues, soaps or clean materials, **or any other type of pollutant**, such as insecticides, fungicides or pesticides, including cigarette butts, in the waters of the Guadalupe Island Biosphere Reserve.
- 2.9 The permit holders, operators and crews shall **collect and transport on board all the garbage generated during the trip**, to be discarded finally at the garbage facilities of the arrival dock (Port).
- 2.10 The permit holder, his crew and clients **shall not carry firearms, darts, harpoons, explosives, pole spears, drugs** or any other device or method that hurt any terrestrial or aquatic wild flora and fauna organisms, or shall they conduct any other activity that put at risk or alter the ecosystems and their elements.

2.11 The permit holder and his operator shall establish strict preventive measures to **avoid the introduction of exotic species** into the Reserve, and shall not transport any species from one community to another using their vessel.

2.12 The permit holder, his operator, crew and passengers **shall not collect, extract or appropriate of species**, wild terrestrial or aquatic flora and fauna products or by-products from Guadalupe Island Reserve.

2.13 The permit holder, his designated operator, crew and passengers **shall not feed**, bother, pursue, harass, hurt, mount, force any physical contact upon, capture, hunt, extract, retain or remove any marine organism inside the Reserve, and shall not alter or perturb the nesting and reproduction areas of birds and marine mammals.



- 2.14 The designated operator must ensure at all times that the activity does **not interfere with the behavior** of local wildlife.
- 2.15 The permit holder and his designated operator **shall not conduct any unauthorized activity** at the Reserve as described by the permit stipulated by the **DRBIG**.
- 2.16 The permit holder **shall not interfere in sustainable productive activities** of the local community, nor with the activities of restoration at the Reserve.
- 2.17 The permit holder shall make sure that his responsible operator, crew and passengers, refrain from providing the local community of **inputs that are not allowed**.
- 2.18 The permit holder or his designated operator shall inform **DRBIG** of any **unusual activity** inside the Reserve.
- 2.19 The permit holder shall submit to **DRBIG** at the end of each trip, the **“Activity report”**.
- 2.20 The permit holder and his authorized operator shall be responsible people with a documented knowledge and experience of the sea and the great white shark diving cage activities. The permit holder and his crew must have their **official documentation complete and in order** (with no past violations of any environmental regulation, and no criminal record anywhere).

- 2.21 The permit holder and their operators shall conduct his/her business in an **honest and straightforward manner** and maintain a high standard of professionalism.
- 2.22 Permit holders and crew shall be **helpful and friendly** to other permit holders and their crew, and strive to build up a good rapport with local fishermen and other users.
- 2.23 It will be an essential requirement for the provision of tourist service, to have their **cord of the training** that imparts the direction of the Natural Protected Area (ANP) on good practices for the activity.
- 2.24 Unless an emergency occurs, the use of **small boats and /or inflatable boats** is prohibited.



// SECTION

3

SAFETY



3 Safety

- 3.1 Permit holders and their operators are **responsible for all the passengers reported**, they are obliged to ensure their safety and appropriate behavior of them during the tour and their visit to the Reserve.
- 3.2 The permit holder and his designated operator **should implement safety measures** for conducting great white shark cage diving activities, because no emergency services are available at the Reserve in case of accidents arising as a result of this activity.
- 3.3 The permit holders or their designated operator shall inform passengers of the **operating procedures and safety**, both aboard the vessel and inside the cages.
- 3.4 Permit holders shall ensure that their vessels only proceed to sea and operate in fine, **settled weather conditions**.
- 3.5 The permit holder shall ensure that a least one of a crew member with **valid first-aid training**, with extension for basic trauma training and oxygen management, shall be on board his vessel.
- 3.6 The permit holder shall ensure that the vessel engaged in white shark diving and viewing operations **shall carry an emergency oxygen kit on board** at all times and a complete first aid equipment in case of an emergency for a possible accident with a shark.

- 3.7 In the case of an accident on board or in the cages as a result of the shark cage diving activities inside the Reservation, the permit holder and his operator **shall inform the competent authorities in Mexico**, including **DRBIG, SEMAR and PROFEPA**.
- 3.8 The operator of the vessel shall ensure that all diving equipment used is of **good quality** and in perfect condition.





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4

VESSELS



4 Vessels

- 4.1 Prior to the start of activities, operators **must establish communication** with the management of the Guadalupe Island Biosphere Reserve.
- 4.2 Vessels shall not anchor **closer than a 100 m (328 ft)** from Guadalupe Island Coast.
- 4.3 The permit holder and his authorized operator shall ensure that his vessel and engines **work under good and proper mechanical conditions of cleaning and operation**. In cases that have sanitary services, the bilge will be closed, to avoid any discharge of residues and wastewaters inside the Reserve.
- 4.4 The permit holder and his authorized operator shall ensure to avoid any discharge of residues and **wastewaters** inside the Reserve.
- 4.5 Only in cases of emergency shall the vessel's crew conduct repairs inside **RBIG** but **routine maintenance activities** are not permitted.
- 4.6 The permit holder **may not refuel** inside the marine portion of the Reserve.
- 4.7 The permit holder may not carry out the **cleaning of the boat** with a soap that is not biodegradable trying where possible to limit its use.



- 4.8 The permit holder **shall not use vessels other than the one authorized by DRBIG.**
- 4.9 Vessels shall have on board at least one **VHF radios and a satellite telephone** with the purpose of maintaining daily contact with the corresponding company and corresponding authorities.
- 4.10 All authorized operators will have to provide to their clients the **basic facilities on board** their vessels, such a clean space to sleep, one to clean up, a bathroom (w.c.) among others.
- 4.11 The permit holders, crews and passengers will be able to take photographs and films of the great white shark cage diving activities and the Reserve under the legal authorization issued by **DRBIG. DRBIG** will be able to **request copy of these materials** for management and documentary purposes. This material under protection and guaranty of **DRBIG** may be consulted by national and international investigators who provide evidence of the scientific nature of their request and who undertake to credit the author of this material.

- 4.12 In the event of the presence of more than two vessels in one great white shark sighting area at the Reserve they **shall keep a minimum distance** among their anchorage site of **450 m** (492 yards).
- 4.13 The permit holder or his operator shall conduct a **maximum of three anchorage maneuvers per day** in locations sufficiently far from the marine mammals colonies (a minimum distance of 109 yards or 100 m).
- 4.14 In coastal waters at Isla Guadalupe Biosphere Reserve, boats will not exceed a speed of **5 knots**.
- 4.15 No vessel shall come **closer than 50 m** from great white sharks “foraging” on marine mammals in waters of the Reserve.



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5

CAGES



5 Great White Sharks observation cages

- 5.1 Detailed **plans of all shark cages** used to dive with great white sharks shall be submitted to **DRBIG**.
- 5.2 The structural integrity of the cages should be **checked annually** by a qualified engineer, whose report must be submitted to the **DRBIG**.
- 5.3 The permit holder or his operator should **identify** with the name of the vessel each of the cages used, so the personnel from **DRBIG** can recognize them clearly.
- 5.4 All Guadalupe Island great white shark cages shall be made from material that will provide adequate safety to its occupants, like special **alloy aluminum** or **stainless iron**.



5.5 All welding points **shall be smoothed down** in order to avoid sharp edges. The permit holders shall place at the corners of the cages rubber protectors before deployment in the water, with the purpose of avoiding any damage to the sharks.



- 5.6 **Maximum distance** between horizontal bars will be 14 inches (35 centimeters).
- 5.7 An **emergency flotation device** shall be attached to the great white shark cage in such a way that it is protected from possible damage by sharks or any other contingency.
- 5.8 The permit holder or operator shall ensure that, during the cage diving, divers shall not carry knives.
- 5.9 All cages must have an **access door** or entrance on top.
- 5.10 All cages shall be closed completely during the great white shark observation diving activities and shall have an **emergency exit** device.
- 5.11 When in the water, all **cages must be properly attached to the boat** with a floating rope strong enough to guarantee it will hold and last the entire operation and guarantee the safety of the passengers.
- 5.12 Any device or pressurized mechanism for recreational shark observation (dive capsules, small submarines, etc.) are strictly prohibited in the Reserve.
- 5.13 The maximum number of divers per great white shark cage shall be **four per dive**.

**CODE OF
CONDUCT FOR
GREAT WHITE
SHARK CAGE
DIVING IN THE
GUADALUPE
ISLAND BIOSPHERE
RESERVE**

// SECTION

6

CAGE DIVING
ACTIVITIES



6 Cage diving activities for Great White Sharks observation

- 6.1 It is strictly prohibited **to fish** great white sharks.
- 6.2 It is strictly prohibited to swim and/or dive **outside the cages**.
- 6.3 The permit holder shall ensure that great care shall be taken by all crew members to prevent injure to white sharks during cage diving activities.
- 6.4 It is strictly prohibited to use any **bait** other than the authorized by **SEMAR**.



- 6.5 The permit holder shall ensure that the bait is **tied down only with rope**. No metal shackles or chains may be used. The line attached to the hang baits shall have a floating line attached to the buoy using only natural fiber lines.
- 6.6 It is forbidden to unfold or towed **decoys** of any kind into the waters of the Reserve.
- 6.7 The permit holder shall ensure that the crew member handling the bait line **shall drop the bait line** as soon as the shark takes the bait in its mouth in case this action cannot be avoided on time.
- 6.8 The permit holder shall ensure that the bait line is **immediately removed** from the water if the white shark following the bait approaches within 6.5 feet (2 m) of the vessel.
- 6.9 Operators must ensure that at least two crew members on each trip have documented **dive-master experience**.
- 6.10 Bait shall be thrown from port side or starboard side at the stern in an **angle of 45° from the cages to the outside of the boat**. Bait line will not be shorter than 40 feet (12 meters) and it shall not touch the cage or pass over the top of the cage.
- 6.11 The permit holder must install **ailerons type devices** on the sides of the boat for the management and handling of the bait.
- 6.12 It is strictly forbidden to **recover baits** in front of the cages.

- 6.13** It is strictly forbidden to offer any bait or to feed great white sharks **from inside the cages**.
- 6.14** It is strictly forbidden to use **submarine speakers and hydrophones** that perturb the aquatic ecosystem through the emission of music or sounds of low frequency.
- 6.15** The operator responsible shall terminate the diving practice of any person who allows **any part of the body to extend outside the cage** or who tries to leave the cage when it is submerged.
- 6.16** It is strictly forbidden to **touch** the sharks.
- 6.17** In the case of the presence of a great white shark that shows a frequent insistence on coming close to the cages, or whose behavior could be potentially dangerous for the divers and for the shark itself, **the operator shall remove divers and cages** from the water immediately
- 6.18 DRBIG** only approves the use of **bamboo sticks** to drive out the shark in cases when the shark is extremely close to the cage and a possible collision might occur. The pointed end of the stick shall be covered with a protective material, such as rubber, that will avoid any wound or laceration in the skin of the shark.
- 6.19** A **diving flag** shall be raised during cage diving operations.
- 6.20** Under no circumstance shall people under the influence of **alcohol or drugs** be allowed to dive.



- 6.21** The dive-master shall ensure that all divers **understand all diving procedures**, as well as emergency procedures, and are geared up correctly.
- 6.22** **Hooka systems** are allowed only in fixed cages, as far as air hoses are outside the reach of sharks.
- 6.23** It should be placed safely in each cage and out of reach of sharks, a **cylinder of 8 liters of fresh air** equipped with an octopus regulator (two-stroke valves) for emergencies.
- 6.24** The use of any type of **shark repellent** is not permitted, whether it's chemical, mechanical or electrical, the use of these is restricted to operators who may only use it in an emergency.



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7

SCIENTIFIC RESEARCH



7 **Great White Shark scientific research at Guadalupe Island**

- 7.1 Any scientific investigation, performed by national or foreign researchers on Guadalupe Island's great white sharks **must be authorized Mexican authorities in the subject.**
- 7.2 Every scientist should have a copy of the **relevant permits.** If there are foreign researchers, at all times it must be counted with the presence of a Mexican researcher who has the counterpart to endorse and answer any clarification to the national authorities.
- 7.3 **DRBIG** is be the only organization authorized to request **support from permit holders** for the realization of a scientific investigation focused on the great white sharks of Guadalupe Island.
- 7.4 **DRBIG** will supervise **all authorized scientific research** conducted on great white sharks in waters of Guadalupe Island Reserve. Researchers and technicians associated with such research projects will provide the facilities necessary for the participation of the observers.
- 7.5 Researchers and technicians of the authorized scientific projects shall conduct their investigations in **conformity with the standards set in this code of conduct.**

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8

ENVIRONMENTAL
LEGISLATION



8 Environmental legislation

- 8.1 Ley General del Equilibrio Ecológico y la Protección al Ambiente.
- 8.2 Reglamentos de la Ley General del Equilibrio Ecológico y la Protección al Ambiente, en Materia de Áreas Naturales Protegidas y en Materia de Impacto Ambiental.
- 8.3 NORMA Oficial Mexicana NOM-059-SEMARNAT-2010, Protección ambiental-Especies nativas de México de flora y fauna silvestres-Categorías de riesgo y especificaciones para su inclusión, exclusión o cambio-Lista de especies en riesgo.
- 8.4 Ley General de Vida Silvestre y su Reglamento.
- 8.5 DECRETO por el que se declara área natural protegida, con categoría de Reserva de la Biosfera, la zona marina y terrestre que incluye a la Isla Guadalupe, publicado en el Diario Oficial de la Federación el 25 de abril del 2005.
- 8.6 Programa de Manejo de la Reserva de la Biosfera Isla Guadalupe, publicado en el Diario Oficial de la Federación el 17 de junio del 2011.



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9

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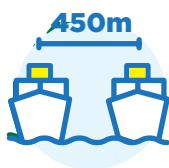
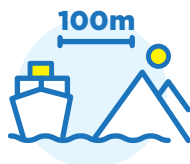
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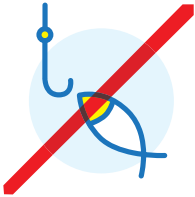
Authorities

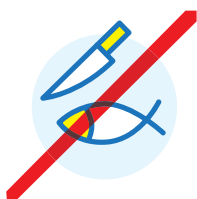
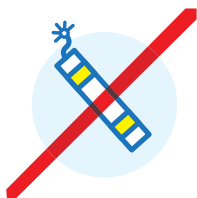


Allowed activities



Prohibited activities





Drop-down flags



White shark public use subzone



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