

# SMS Privacy Policy

SeaSport Cruises, Inc. DBA PacWhale Eco-Adventures

Pacific Whale Foundation™

Effective Date: June 12, 2026

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*This SMS Privacy Policy describes how we collect, use, and protect your mobile phone number and related data when you opt in to receive text messages from PacWhale Eco-Adventures and/or Pacific Whale Foundation™. It supplements the General Privacy Policy below.*

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## SMS Program 1 — PacWhale Eco-Adventures

### Types of SMS Messages

By opting in to the PacWhale Eco-Adventures SMS program, you consent to receive recurring automated marketing and transactional text messages, including:

- Booking confirmations and tour reminders
- Promotional offers and special deals on eco-adventures
- Ocean and whale watch updates
- Customer service and operational notifications

### How We Collect Your Mobile Number

We collect your mobile phone number when you: (a) provide it during the online booking process; (b) submit a contact or sign-up form on pacwhale.com; (c) opt in via a Mailchimp signup form or landing page; or (d) provide it to our team directly.

### Message Frequency

Message frequency varies based on your booking activity and marketing preferences. You may receive up to 4–6 messages per month, but frequency may be higher during active booking periods.

### Message & Data Rates

Message and data rates may apply. Charges are billed by your mobile carrier. PacWhale Eco-Adventures is not responsible for any charges from your carrier.

### How to Opt Out

You may opt out of the PacWhale Eco-Adventures SMS program at any time by replying STOP to any text message from us. You will receive one final confirmation text and no further messages will be sent unless you re-opt in. Opting out of marketing SMS does not affect transactional messages related to an existing booking.

### How to Get Help

Reply HELP to any text message for assistance, or contact us at:

- Email: [marketing@pacificwhale.org](mailto:marketing@pacificwhale.org)
- Phone: (808) 249-8811

### **How We Use Your Mobile Number**

Your mobile phone number is used solely to send you the types of messages described above. We do not use your number for any other purpose without your separate consent.

### **How We Store Your Mobile Number**

Your mobile phone number is stored securely in our marketing platform (Mailchimp) and is retained only as long as you are subscribed to our SMS program or as required by law. Upon opt-out, your number is flagged as unsubscribed and will not be used for future marketing messages.

### **Sharing of Mobile Number**

Your mobile phone number and SMS opt-in consent will NOT be sold, rented, or shared with third parties for their own marketing or promotional purposes. We may share your number with our SMS service provider (Mailchimp/Intuit) solely to deliver messages on our behalf, under contractual confidentiality obligations.

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## **SMS Program 2 — Pacific Whale Foundation™ Donations & Conservation**

### **Types of SMS Messages**

By opting in to the Pacific Whale Foundation™ SMS program, you consent to receive recurring automated text messages related to our nonprofit conservation programs, including:

- Donation appeals and fundraising campaigns
- Donation receipts and gift acknowledgments
- Matching gift and recurring gift opportunities
- Conservation news, research updates, and ocean protection alerts
- Membership and event announcements
- Emergency conservation campaigns

### **How We Collect Your Mobile Number**

We collect your mobile phone number when you: (a) make an online donation at [pacificwhale.org](http://pacificwhale.org); (b) opt in via a Mailchimp signup form or donation landing page; (c) sign up for PWF membership; or (d) provide it to our team directly at an event or by phone.

### **Message Frequency**

Message frequency varies based on donation activity, campaign schedules, and conservation events. You may receive up to 4–8 messages per month. Frequency may be higher during active fundraising campaigns or urgent conservation events.

## Message & Data Rates

Message and data rates may apply. Charges are billed by your mobile carrier. Pacific Whale Foundation™ is not responsible for any charges from your carrier.

## How to Opt Out

You may opt out of the Pacific Whale Foundation™ SMS program at any time by replying STOP to any text message from us. You will receive one final confirmation text and no further messages will be sent unless you re-opt in. Opting out of SMS does not cancel any existing recurring donation commitments.

## How to Get Help

Reply HELP to any text message for assistance, or contact us at:

- Email: [marketing@pacificwhale.org](mailto:marketing@pacificwhale.org)
- Phone: (808) 249-8811

## How We Use Your Mobile Number

Your mobile phone number is used solely to send you the types of messages described above in support of Pacific Whale Foundation™'s conservation mission. We do not use your number for any other purpose without your separate consent.

## How We Store Your Mobile Number

Your mobile phone number is stored securely in our marketing platform (Mailchimp) and is retained only as long as you are subscribed to our SMS program or as required by applicable nonprofit and tax record-keeping laws. Upon opt-out, your number is flagged as unsubscribed and will not be used for future SMS messages.

## Sharing of Mobile Number

Your mobile phone number and SMS opt-in consent will NOT be sold, rented, or shared with third parties for their own marketing or promotional purposes. We may share your number with our SMS service provider (Mailchimp/Intuit) solely to deliver messages on our behalf, under contractual confidentiality obligations.

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# General Privacy Policy

*Last Updated: June 12, 2026*

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## 1. About Us

This General Privacy Policy applies to two related organizations that share operations, staff, and infrastructure:

**SeaSport Cruises, Inc. DBA PacWhale Eco-Adventures**

A for-profit operator of ocean eco-tours and cruises headquartered at 300 Ma'alaena Rd, Suite 211, Wailuku, HI 96793.

### **Pacific Whale Foundation™ (PWF)**

A 501(c)(3) nonprofit marine research and conservation organization headquartered at 300 Ma'alaena Rd, Suite 211, Wailuku, HI 96793. PWF's mission is to inspire and advance conservation for whales, dolphins, and the ocean.

Together, these organizations are referred to in this policy as "we," "us," or "our." 100% of profits from PacWhale Eco-Adventures support Pacific Whale Foundation™.

For questions, please contact us at:

- Email: [marketing@pacificwhale.org](mailto:marketing@pacificwhale.org)
- Phone: (808) 249-8811
- Mail: 300 Ma'alaena Rd, Suite 211, Wailuku, HI 96793

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## **2. About This Privacy Policy**

Your privacy is important to us. This General Privacy Policy explains how we collect, use, share, and protect your personal information when you interact with our website(s), mobile apps, booking platforms, email communications, SMS/text messaging programs, and other online and offline products and services (collectively, the "Services"). For SMS-specific data practices, see the SMS Privacy Policy above.

Please read this policy carefully. By using our Services, you agree to the terms described here. If you do not agree, please do not use our Services.

Users with disabilities who need this policy in an alternative format may contact us by phone, email, or mail using the details in Section 15.

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## **3. Personal Information We Collect**

### **3.1 Information You Provide Directly**

- Contact information: name, email address, mailing address, phone number
- Payment information: credit card or bank account details (collected and stored by our third-party payment processors)
- Donation information: gift amounts, recurring gift preferences, fund designations
- Survey and feedback responses
- Communications with our customer service team, including chat, email, and phone records
- Marketing preferences

### 3.2 Information Collected Automatically

- Browser type and operating system
- IP address and device identifiers
- Pages visited and time spent on our website
- Cookies, web beacons, and similar tracking technologies

### 3.3 SMS/Text Messaging Data

When you opt in to either of our SMS programs, we collect your mobile phone number, opt-in timestamp, opt-in source, message engagement data, and opt-out date if applicable. See the SMS Privacy Policy section above for full details on both programs.

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## 4. How We Use Your Personal Information

We use the information we collect for the following purposes:

- To process bookings and payments for eco-adventures and cruises
  - To send booking confirmations, reminders, and operational updates via email and SMS
  - To send newsletters, promotions, and marketing communications you have opted into
  - To solicit and process donations to Pacific Whale Foundation™ and send donation-related communications including receipts, matching gift opportunities, and impact updates
  - To communicate about PWF membership, conservation programs, and special campaigns
  - To respond to your questions, inquiries, or customer service requests
  - To monitor and analyze usage trends to improve our Services
  - To administer contests, sweepstakes, and promotions
  - To detect, prevent, and investigate fraudulent or illegal activity
  - To fulfill legal and contractual obligations
  - To advance Pacific Whale Foundation™'s mission of ocean conservation and marine research
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## 5. Legal Basis for Processing

Where required by applicable law, we collect and use your personal information based on one or more of the following legal grounds:

- Your consent (including explicit opt-in for SMS and email marketing)
- The performance of a contract with you (e.g., processing a booking)
- Our legitimate business interests (e.g., improving our Services, fraud prevention)
- Compliance with a legal obligation

You may withdraw consent at any time without affecting the lawfulness of processing based on consent before withdrawal.

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## 6. How We Share Your Personal Information

We do not sell, rent, or exchange your personal information with third parties for their own marketing purposes. We may share your information in the following limited circumstances:

- Service providers: vendors who assist with data analytics, marketing, email delivery, SMS messaging, payment processing, and customer service — bound by confidentiality obligations
- Legal compliance: when required by court order, law enforcement, or other legal obligation
- Business transfers: in connection with a merger, acquisition, or sale of business assets
- Protection of rights: to protect the rights, property, or safety of PacWhale Eco-Adventures, Pacific Whale Foundation, or the public

SMS Disclosure: Mobile opt-in data and consent information will not be shared with any third party for marketing purposes under any circumstances.

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## 7. Email and SMS Marketing Choices

### 7.1 Email Communications

We will send marketing emails only if you have opted in or have an existing relationship with us. You may unsubscribe at any time by clicking the unsubscribe link in any email or by contacting us at [marketing@pacificwhale.org](mailto:marketing@pacificwhale.org).

### 7.2 PacWhale Eco-Adventures SMS Program

By opting in, you consent to receive recurring automated text messages from PacWhale Eco-Adventures, including booking confirmations, tour reminders, and promotions. You may opt out at any time by replying STOP. Even after opting out of marketing messages, we may still send transactional messages related to your bookings or safety.

### 7.3 Pacific Whale Foundation™ Donation & Conservation SMS Program

By opting in, you consent to receive recurring automated text messages from Pacific Whale Foundation™, including donation appeals, gift receipts, conservation updates, and membership communications. You may opt out at any time by replying STOP. Opting out will not affect any existing donation commitments or scheduled gifts.

Supported SMS commands (both programs):

- STOP — Unsubscribe from all SMS messages from the sending program
- HELP — Receive help and contact information

Message frequency varies for both programs. Standard message and data rates may apply depending on your carrier and plan.

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## 8. Retention of Your Data

We retain your personal information only for as long as necessary to fulfill the purposes described in this policy, unless a longer retention period is required by law. When determining how long to retain data, we consider:

- The nature and sensitivity of the information
- The potential risk of harm from unauthorized use or disclosure
- The purposes for which we process the data
- Applicable legal requirements

You may request deletion of your personal information at any time (see Section 10). We may retain certain data as required by law or for legitimate business purposes such as fraud prevention.

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## 9. International Data Transfers

If personal information is transferred outside of the United States, we will ensure that appropriate safeguards are in place in accordance with applicable data protection laws.

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## 10. Your Data Protection Rights

Depending on your location and applicable laws, you may have the following rights:

- Access: Request a copy of the personal information we hold about you
- Correction: Request correction of inaccurate or incomplete information
- Deletion: Request deletion of your personal information
- Portability: Request your data in a structured, machine-readable format
- Objection: Object to or request restriction of certain processing
- Withdraw Consent: Withdraw consent at any time where processing is based on consent

### California Residents (CCPA)

California residents have additional rights under the California Consumer Privacy Act, including the right to know, delete, and opt out of the sale of personal information. We do not sell personal information. To exercise your California rights, contact us using the details below or visit our full Privacy Notice for California Residents at [pacwhale.com/privacy-notice-for-california-residents/](https://pacwhale.com/privacy-notice-for-california-residents/).

### Nevada Residents

Nevada residents may opt out of the sale of personal information by contacting us directly. We do not sell personal information.

To exercise any of your data rights, please contact us at [marketing@pacificwhale.org](mailto:marketing@pacificwhale.org), call (808) 249-8811, or write to us at 300 Ma'alaea Rd, Suite 211, Wailuku, HI 96793. We will respond within 45 days or as required by applicable law.

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## 11. Security of Your Personal Information

We use industry-standard encryption (TLS) and security measures to protect your personal information during transmission and storage. Access to personal information is restricted to authorized personnel only. While we take reasonable precautions, no method of transmission over the Internet or electronic storage is 100% secure.

In the event of a data breach affecting your personal information, we will notify you and applicable regulatory authorities as required by law.

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## 12. Children's Privacy

Our Services are not directed to children under 18 years of age. We do not knowingly collect personal information from minors. If you believe we have inadvertently collected such information, please contact us immediately so we can delete it.

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## 13. Cookies and Tracking Technologies

We use cookies, web beacons, and similar technologies to improve your experience on our website, analyze usage, and serve relevant content. You may disable cookies through your browser settings, though some features of our Services may not function properly without them.

We may use third-party analytics and advertising services (such as Google Analytics) that place cookies on your browser. You can opt out of Google's advertising cookies at [support.google.com](https://support.google.com) or by using your browser's "Do Not Track" settings.

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## 14. Changes to This Privacy Policy

We reserve the right to update this Privacy Policy at any time. When we make material changes, we will notify you by email, by posting a notice on our website, or by another appropriate method. We encourage you to review this policy periodically. Your continued use of our Services after changes are posted constitutes your acceptance of the updated policy.

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## 15. Contact Us

If you have questions, concerns, or requests related to this Privacy Policy or our data practices, please contact us:

### SeaSport Cruises, Inc. DBA PacWhale Eco-Adventures

- Address: 300 Ma'alaea Rd, Suite 211, Wailuku, HI 96793
- Email: [marketing@pacificwhale.org](mailto:marketing@pacificwhale.org)
- Phone: (808) 249-8811
- Website: [pacwhale.com](http://pacwhale.com)

**Pacific Whale Foundation™**

- Address: 300 Ma'alaea Rd, Suite 211, Wailuku, HI 96793
- Email: [marketing@pacificwhale.org](mailto:marketing@pacificwhale.org)
- Phone: (808) 249-8811
- Website: [pacificwhale.org](http://pacificwhale.org)

To file a complaint with the Federal Trade Commission regarding privacy practices, visit [ftc.gov](http://ftc.gov).

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*100% of profits from PacWhale Eco-Adventures support Pacific Whale Foundation™ — advancing ocean conservation since 1980.*