



# MARINE MAMMAL COMMISSION

19 February 2013

Mr. P. Michael Payne, Chief  
Permits and Conservation Division  
Office of Protected Resources  
National Marine Fisheries Service  
1315 East-West Highway  
Silver Spring, MD 20910-3225

Re: Permit Application No. 17754  
(SeaWorld LLC)

Dear Mr. Payne:

The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the above-referenced permit application with regard to the goals, policies, and requirements of the Marine Mammal Protection Act. SeaWorld Parks & Entertainment, Inc., is requesting authorization to import one Pacific white-sided dolphin from Japan.

## **RECOMMENDATION**

The Marine Mammal Commission recommends that the National Marine Fisheries Service issue the permit provided that the Service, in consultation with the Animal and Plant Health Inspection Service, is satisfied that the applicant's plans and facilities for transporting and maintaining the dolphin meet the requirements established under the Animal Welfare Act and are adequate to provide for its health and well-being.

## **RATIONALE**

SeaWorld is requesting authorization to import one Pacific white-sided dolphin from Kamogawa SeaWorld in Kamogawa, Chiba, Japan, in March 2013 for public display purposes. The dolphin, a female, was born in captivity in Japan in 2006 and has been maintained in compliance with Japanese laws. Sea World would transport the dolphin via truck and aircraft from Kamogawa to San Antonio, Texas, within a 24-hour timeframe. Transport plans appear to meet all requirements of the Marine Mammal Protection Act, Animal Welfare Act, Lacey Act, and International Air Transport Association live animal regulations. The attending veterinarian would examine the dolphin and issue a health certificate within 10 days of transport. SeaWorld San Antonio can accommodate the additional dolphin without exceeding the Department of Agriculture's standards regarding space limitations. In accordance with the requirements of the Marine Mammal Protection Act, SeaWorld (1) is open to the public on a regularly scheduled basis with access that is not limited or restricted other than by charging an admission fee, (2) offers an educational program based on professionally recognized standards of the Association of Zoos and Aquariums and the Alliance of Marine Mammal Parks and Aquariums, and (3) holds Exhibitor's License 74-C-0180, issued by the Department of Agriculture under the Animal Welfare Act. For all these reasons, the Marine Mammal Commission recommends that the National Marine Fisheries Service issue the permit provided that the Service, in consultation with the Animal and Plant Health Inspection Service, is

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satisfied that the applicant's plans and facilities for transporting and maintaining the dolphin meet the requirements established under the Animal Welfare Act and are adequate to provide for its health and well-being.

The Commission believes that the activities for which it has recommended approval are consistent with the purposes and policies of the Marine Mammal Protection Act. Please contact me if you have any questions concerning this recommendation.

Sincerely,

A handwritten signature in blue ink that reads "Timothy J. Ragen". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Timothy J. Ragen, Ph.D.  
Executive Director

cc: Barbara Kohn, D.V.M.