



# MARINE MAMMAL COMMISSION

20 January 2010

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

Re: Permit Application No. 15014  
(SeaWorld, Inc.)

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.

The applicant is requesting authorization to import one male pilot whale from Kamogawa SeaWorld, Kamogawa, Chiba, Japan, to SeaWorld's facility in San Diego, California, for purposes of public display. The application states that the animal stranded on Moriya Beach in January 2004 and, at the request of local officials, was rescued by Kamogawa SeaWorld. The animal has been maintained at that facility since that time.

## **RECOMMENDATION**

The Marine Mammal Commission recommends that the National Marine Fisheries Service issue the requested permit, provided that it is satisfied that the whale in question stranded as a result of natural causes.

## **RATIONALE**

Based on the summary information provided in the application, it appears that the rescue of the animal to be imported was conducted in accordance with Japanese law and consistent with the requirements of the Marine Mammal Protection Act. However, because of concerns expressed by some commenters that the stranding may have occurred as a result of a drive fishery, the Commission believes the Service needs to look closely at the circumstances surrounding the stranding and the adequacy of the documentation. The Marine Mammal Commission recommends that the National Marine Fisheries Service issue the requested permit if, after reviewing that documentation, it is satisfied that the whale in question stranded as a result of natural causes.

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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 these recommendations.

Sincerely,



Timothy J. Ragen, Ph.D.  
Executive Director

cc: Barbara Kohn, D.V.M.