



**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration**

NATIONAL MARINE FISHERIES SERVICE

1315 East-West Highway
Silver Spring, Maryland 20910

September 15, 2020

Christopher Dold, DVM
Chief Zoological Officer
SeaWorld, LLC.
6240 Sea Harbor Drive
Orlando, Florida 32821

Dear Dr. Dold:

The National Marine Fisheries Service (NMFS) has issued Permit No. 22382 to SeaWorld, LLC. This permit authorizes the importation into the United States of one Pacific white-sided dolphin (*Lagenorhynchus obliquidens*) from the Vancouver Aquarium (Vancouver, British Columbia, Canada) to SeaWorld of Texas (San Antonio, Texas, U.S.A.) for the purpose of public display.

This permit is effective upon your signature and is valid through the expiration date indicated in Condition A.1. To use your permit:

1. Read the permit, including attachments. If you have questions, call your permit analyst – Dr. Courtney Smith (courtney.smith@noaa.gov) or Jennifer Skidmore (jennifer.skidmore@noaa.gov) – before signing the permit.
2. Sign and date the signature page.
3. Keep the original signature page with your permit.
4. Return a copy of the signature page to our office by email to your permit analyst.
5. Provide a copy of this letter and the permit to each Co-Investigator.

Please note the following requirements for importation:

- The importation of marine mammals is subject to the provisions of 50 CFR Parts 14 and 23 (i.e., the import must be conducted in accordance with the U.S. Fish and Wildlife Service (USFWS) regulations for the import, export, and transport of wildlife and no marine mammal may be imported without the required CITES [Convention on the International Trade in Endangered Species of Wild Fauna and Flora] permits; <https://cites.org/>).
- The dolphin must be declared and cleared through a USFWS port designated for wildlife (50 CFR 14.12) and a Wildlife Declaration Form 3-177 must be filed with the USFWS inspector at the time of import. Contact the appropriate port for details about how to declare and clear your shipment prior to shipping. The list of designated ports and Form 3-177 may be obtained from: <https://www.fws.gov/le/designated-ports.html>.



- Importation of live animals into the United States requires a live animal import permit issued by the U. S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), Veterinary Services (<https://www.aphis.usda.gov/aphis/ourfocus/animalhealth/animal-and-animal-product-import-information/imports/live-animal-imports>).
- In accordance with APHIS' recommendation, the dolphin must be closely monitored during transport due to its age.

Activities involving handling or close proximity to animals: We are providing guidance to remind permitted personnel who work with live or dead animals to follow the appropriate procedures to minimize disease transmission. We recommend the following routine practices be followed:

- All personnel should refer to local, State, and national requirements and public health guidance for their activities.
- All personnel should wear appropriate personal protective equipment (PPE) when working with live or dead animals or when performing close-contact activities (e.g., captures, health assessments, sedation/anesthesia, instrument attachment, or salvage).
- Work clothes, including footwear and dedicated PPE, should be worn only at work.
- Indirect contact between pets kept at home and wild animals should not occur including contact via footwear, equipment, and clothes.
- Individuals who are ill should not work with live animals until cleared by their health care provider.

For more information on specific pathogens and additional guidance see the Centers for Disease Control and Prevention (<https://www.cdc.gov/>), the USDA (<https://www.usda.gov/>), the World Organization for Animal Health (<https://www.oie.int/>), the American Veterinary Medical Association (<https://www.avma.org/>), and the World Health Organization (<https://www.who.int/>).

Sincerely,

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Jolie Harrison
 Chief, Permits and Conservation Division
 Office of Protected Resources

Enclosure

cc w/ enclosure: Anna Barry, USFWS
 Barbara Kohn, DVM, USDA, APHIS
 Peter Thomas, Ph.D, Marine Mammal Commission



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910

Permit No. 22382
Expiration Date: September 15, 2023

PERMIT TO IMPORT MARINE MAMMALS FOR PUBLIC DISPLAY PURPOSES

I. Authorization

This permit is issued to SeaWorld, LLC., 6240 Sea Harbor Drive, Orlando, Florida, 32821 (Responsible Party: Christopher Dold, DVM), pursuant to the provisions of the Marine Mammal Protection Act of 1972 as amended (MMPA; 16 U.S.C. 1361 *et seq.*) and the regulations governing the taking and importing of marine mammals (50 CFR Part 216).

II. Abstract

The objective of the permitted activity, as described in the application, is to import one stranded, non-releasable (captive) adult female Pacific white-sided dolphin (*Lagenorhynchus obliquidens*) from the Vancouver Aquarium (Vancouver, British Columbia, Canada) to SeaWorld of Texas (San Antonio, Texas) for public display purposes.

III. Terms and Conditions

The activities authorized herein must occur by the means, in the areas, and for the purposes set forth in the permit application, and as limited by the Terms and Conditions specified in this permit, including appendices. Permit noncompliance constitutes a violation and is grounds for permit modification, suspension, or revocation, and for enforcement action.

A. Duration of Permit

Personnel listed in Condition C.1 of this permit (hereinafter "Personnel") may conduct the import activity authorized by this permit through September 15, 2023. This permit may be extended by the Director, NMFS Office of Protected Resources or the Chief, Permits and Conservation Division (hereinafter Permits Division), pursuant to applicable regulations and the requirements of the MMPA. Upon import and receipt of the dolphin at SeaWorld of Texas, this permit will be null and void.

B. Number and Kind of Protected Species, Locations and Manner of Taking

1. This permit authorizes the importation of one captive adult, female Pacific white-sided dolphin (see p. 2, Table 1) from Vancouver Aquarium (Vancouver, British Columbia, Canada) to SeaWorld of Texas (San Antonio, Texas, U.S.A.).



Table 1: Pacific white-sided dolphin authorized to be imported.

NOAA ID No.	Name	Other IDs	Current Age	Origin	Recipient Owner
NOA0010676	“Helen”	VANCOUVAQ/991018 FUJISAWA/44031800 JAZA/257	~ 30 yrs	Stranded, Non-Releasable (Japan)	SeaWorld, LLC.

2. Personnel must comply with the following conditions related to the manner of import:
 - a. The subject Pacific white-sided dolphin identified in Table 1 imported under the authority of this permit must be imported in a humane manner and in compliance with the MMPA and any applicable foreign law.
 - b. The importation of marine mammals is subject to the provisions of 50 CFR Parts 14 and 23 (*i.e.*, the import of marine mammals must be conducted in accordance with the U.S. Fish and Wildlife Service regulations for the importation, exportation, and transport of wildlife and no marine mammals may be imported without the required CITES [Convention on the International Trade in Endangered Species of Wild Fauna and Flora] permits).
 - c. The Permit Holder must transport and maintain the animal used in U.S. Department of Agriculture, Animal and Plant Health Inspection Service (APHIS) licensed public display facilities; and, must be held and transported in compliance with the provisions of the Animal Welfare Act and its implementing regulations “Specifications for the Humane Handling, Care, Treatment, and Transportation of Marine Mammals” (9 CFR Part 3, Subpart E).
 - i. A current copy of the APHIS license for the authorized facility must be attached to this permit. All medical records must accompany the animal to the destination facility.
 - ii. Prior to transport, SeaWorld LLC. must have the travel plan documented at SeaWorld of Texas, and the animal must be accompanied by a health certificate signed by the attending veterinarian stating that the animal was examined within the prior 10 days and found to be in acceptable health for transport.
 - d. The Permit Holder cannot import any marine mammal that is pregnant or lactating.
3. In addition to General Condition E below, personnel must comply with the following conditions related to public display in the United States:
 - a. SeaWorld of Texas and any subsequent recipient must continue to meet the three public display criteria required by Section 104(c)(2)(a) of the MMPA.

- b. Captive marine mammals may not be released into the wild unless such a release has been specifically authorized under a separate scientific research or enhancement permit that has been issued for that purpose.

C. Qualifications, Responsibilities, and Designation of Personnel

1. The following individuals are authorized as Personnel under this permit:
 - a. Responsible Party – Christopher Dold, DVM;
 - b. Principal Investigator – Jennifer Mairot; and
 - c. Co-Investigators:
 - i. Transport personnel:
 - Katie H. Kolodziej
 - Eric D. Otjen
 - ii. Attending veterinarians for transport:
 - Jennifer Camilleri, BVetMed
 - Steven D. Osborn, DVM
2. At the discretion of the Responsible Party, additional qualified staff may participate in the import of the subject dolphin.
3. Individuals conducting permitted activities must possess qualifications commensurate with their roles and responsibilities. The Responsible Party on behalf of the Permit Holder is ultimately responsible for activities of individuals operating under the authority of this permit.
4. Personnel involved in permitted activities must be reasonable in number and essential to conduct of the permitted activities.
5. Persons who require state or Federal licenses to conduct activities authorized under the permit (*e.g.*, veterinarians) must be duly licensed when undertaking such activities.

D. Possession of Permit

1. This permit cannot be transferred or assigned to any other person.
2. The Permit Holder and persons operating under the authority of this permit must possess a copy of this permit when:
 - a. Engaged in the permitted activity;
 - b. The animal is in transit; and

- c. The animal imported under the permit are in the possession of such persons.
3. A duplicate copy of this permit must accompany or be attached to the container, enclosure, or other means of containment in which a protected species is placed for purposes of transit. For the captive subject marine mammal, a copy of this permit shall be kept on file at the facility holding the dolphin.

E. Reports and Notifications

1. Inventory reports and notifications must be submitted to the Permits Division by one of the following:
 - a. Email (NIMM.Inventory@noaa.gov);
 - b. Mail (NMFS Permits and Conservation Division (F/PR1), 1315 East-West Hwy, Silver Spring, MD, 20910).
2. Upon completion of the importation from Canada, the SeaWorld of Texas must complete the attached Marine Mammal Data Sheet for the subject animal and submit it as specified in Condition E.1.
3. SeaWorld, LLC. must review and verify the accuracy of its Marine Mammal Inventory Report Summary (MMIRS) at SeaWorld of Texas, upon request.
4. Prior to any subsequent transfer or transport of the subject animal within the United States, the current owner or facility must provide written notification of the proposed transfer or transport. A completed Marine Mammal Transfer/Transport Notification form (attached) must be received at least 15 days in advance of the intended transfer or transport. The intended recipient must meet the three public display criteria required by Section 104(c)(2)(a) of the MMPA.
5. The current owner or facility of the subject animals must provide notification, within 30 days of any death or birth of progeny, by submitting a Marine Mammal Data Sheet for the animal (blank data sheets can be obtained online at <https://www.fisheries.noaa.gov/national/marine-mammal-protection/national-inventory-marine-mammals>).
6. Any progeny born in the United States will be subject to the MMPA.

G. Observers and Inspections

1. NMFS may review activities conducted under this permit. At the request of NMFS, the Permit Holder must cooperate with any such review by:
 - a. Allowing an employee of NOAA or other person designated by the Director, NMFS Office of Protected Resources to observe permitted activities; and

- b. Providing all documents or other information relating to the permitted activities.

H. Modification, Suspension, and Revocation

1. Permits are subject to suspension, revocation, modification, and denial in accordance with the provisions of Subpart D [Permit Sanctions and Denials] of 15 CFR Part 904.
2. The Director, Office of Protected Resources may modify, suspend, or revoke this permit in whole or in part:
 - a. In order to make the permit consistent with a change made after the date of permit issuance with respect to applicable regulations prescribed under Section 103 of the MMPA;
 - b. In a case in which a violation of the terms and conditions of the permit is found;
 - c. In response to a written request¹ from the Permit Holder; or
 - d. If NMFS determines that the application or other information pertaining to the permitted activities (including, but not limited to, reports pursuant to Section E of this permit and information provided to NOAA personnel pursuant to Section G of this permit) includes false information.
2. Issuance of this permit does not guarantee or imply that NMFS will issue or approve subsequent permits or amendments for the same or similar activities requested by the Permit Holder, including those of a continuing nature.

I. Penalties and Permit Sanctions

1. A person who violates a provision of this permit, the MMPA, or the regulations at 50 CFR 216 is subject to civil and criminal penalties, permit sanctions, and forfeiture as authorized under the MMPA, and 15 CFR Part 904.
2. The NMFS Office of Protected Resources shall be the sole arbiter of whether a given activity is within the scope and bounds of the authorization granted in this permit.
 - a. The Permit Holder must contact the Permits Division for verification before conducting the activity if they are unsure whether an activity is within the scope of the permit.
 - b. Failure to verify, where the NMFS Office of Protected Resources subsequently determines that an activity was outside the scope of the permit, may be used as

¹The Permit Holder may request changes to the permit related to: the species or number of animals imported; and the location, time, or manner of importing protected species. Such requests must be submitted in writing to the Permits Division in the format specified in the application instructions.

evidence of a violation of the permit, the MMPA, and applicable regulations in any enforcement actions.

J. Acceptance of Permit

1. In signing this permit, the Permit Holder:

- a. Agrees to abide by all terms and conditions set forth in the permit, all restrictions and relevant regulations under 50 CFR Part 216 and all restrictions and requirements under the MMPA;
- b. Acknowledges that the authority to conduct certain activities specified in the permit is conditional and subject to authorization by the Office Director; and
- c. Acknowledges that this permit does not relieve the Permit Holder of the responsibility to obtain any other permits, or comply with any other Federal, State, local, or international laws or regulations.

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Director, Office of Protected Resources
National Marine Fisheries Service

Date Issued



Christopher Dold, DVM
Chief Zoological Operator
SeaWorld, LLC.
Responsible Party

2 NOVEMBER 2020
Date Effective

