



Sept. 22, 2015

Re: Agenda Item Thursday 14a: No 6-15-0424 (SeaWorld Orca Enclosure Expansion, San Diego)

Chairman Steve Kinsey  
California Coastal Commission

Dear Chairman Kinsey and Coastal Commissioners;

The signatories to this letter represent non-profit NGOs, foundations, and advocacy organizations dedicated to environmental conservation and restoration, animal welfare, social justice and coastal protection. We are profoundly concerned about the plight of captive orcas around the world, including those at Sea World's San Diego facilities. We are writing to express our support for the Commission to condition any permit that you approve for Sea World's Blue World project to prohibit the breeding of killer whales and the transfer of any whales to anywhere but a sea pen.

In order to ensure that the orcas actually get some benefit from the expansion of the tanks, it is critical that the expansion is only allowed for the orcas who are currently housed at Sea World rather than a blanket permit that would allow Sea World to breed and warehouse even more orcas, thereby defeating any benefit of the new tank. The capture, keeping and breeding of killer whales in captivity for the purpose of providing entertainment is totally inconsistent with the Commission's mandate under the Coastal Act to maintain, enhance and restore and protect marine resources and to provide special protection to species of special biological significance, which most certainly killer whales are.

This Commission has a long history of concern for and protection of whales and other marine mammals. On the other hand, Sea World has a long history of confining these highly intelligent, social animals in concrete enclosures, utterly devoid of natural features, and handling them in ways that are detrimental to their health, all the while justifying their exploitation under the guise of public education. However, because these orcas are forced to live in such unnatural conditions and are deprived of the ability to engage in normal, species-specific behaviors, the audiences for whom they perform walk away with no real education about true orca behavior. We believe the Commission must take a hard look at Sea World's proposal and understand it for what it really is. If the Commission does this it can come to only one conclusion, that in the 21st Century we now understand why this practice must end.

This proposal does not improve or enlarge the "habitat" for SeaWorld orcas because a concrete tank, no matter what the size, cannot be considered to be "habitat". The new tank is a viewing tank, connected to the existing Shamu Stadium complex through a small, narrow channel that is gated at either end. . Sea World will retain most of the existing holding tanks and train the whales to transit this channel, into the larger tank for viewing by the public. This means that the new tank will be accessible to the whales only at management's discretion; in short , it will be available to some of the whales only some of the time. Regardless of how often the whales are herded through the channel or how large the tanks are, the proposed tanks will still be orders of magnitude smaller than an orca's natural home range. . Moreover, if the purpose of the SeaWorld expansion is to breed or otherwise acquire additional orcas, it will negate any minimal benefit that might be served by providing a larger viewing tank.

A growing number of marine mammal experts recognize that orcas suffer unconscionably in captivity, and the practice of display for human entertainment should be phased out. That currently most of SeaWorld's orcas were bred in captivity does not mean they suffer any less by being deprived of a natural habitat and the complex social structure to which they are

physiologically and psychologically adapted. Orcas are large, highly intelligent mammals with a complex and very strong family structure and ties in the wild. That social bond, so important to the lives of orca, is non-existent in the environment provided in captivity.

Furthermore, orcas live shortened lives in captivity and suffer stress and physiological damage. Male dorsal fins collapse (which occurs rarely in the wild), but captive orcas also break and wear their teeth by chewing on the concrete tank walls and metal gates, requiring drilling and intensive dental care that still may result in infection, are highly medicated and fed gallons of gelatin daily to keep them hydrated (since frozen fish lose water when thawed), may be administered anti-depressants to help deal with multiple behaviors associated with depression anxiety and possibly psychosis, just to name some of the concerns. Additionally, they exhibit abnormal levels of aggression in captivity not observed in the wild. As an indication of the stress they are under and their underlying resistance to mitigating treatment, orcas in captivity have killed four people. There are no historical records of orcas killing human beings in the wild.

Perpetuating the captive display of orcas for profit drives the continued need to capture more whales from the wild, as new genetic stock is required regularly to prevent inbreeding. Indeed, Russia has taken up the practice of capturing wild orcas for display in that country and China, capturing 10 since 2012. Under the circumstances it is difficult for the United States to denounce this practice.

The Commission has the ability to set an example for the rest of the world. It can state clearly that it is time to stop the unethical practice of using the ocean's greatest predator for entertainment purposes. While not prohibiting Sea World from continuing to display the orcas currently in their possession, prohibiting the breeding and transfer of these whales will mean that eventually the exhibition of captive orcas will be phased out. If you decide to approve and not deny, we urge you to condition your approval to prohibit the captive breeding artificial insemination of orcas in captivity, prohibit the sale or offer for sale, trade or transfer for any reason other than transport to a sea pen any orca intended for performance or entertainment purposes. This will continue the Commission's proud tradition of showing concern for the treatment and conservation of marine mammals.

Sincerely,

Animal Legal Defense Fund; Carney Anne Nassar, Legislative Counsel  
Ocean's Future Society: Jean Michael Cousteau  
California League of Conservation Voters: Jena Price, Government Affairs Manger  
Sierra Club, California; Kathryn Phillips  
Jane Goodall Institute: Jane Goodall, Founder  
Center for Biological Diversity: Jean Su  
In Defense of Animals: Toni Frohoff, Elephant and Cetacean Scientist  
Action for Animals: Eric Mills, Coordinator  
Environmental Center of San Diego, Pam Heatherington  
Whale and Dolphin Conservation: Courtney Vail

Sea Shepherd Conservation Society: Ann E. Prezyna, General Counsel  
Western Alliance for Nature: Lawrence Wan, Board Chairman  
Earth Island: Mark Palmer, Associate Director, International marine Mammal  
SONAR: Elizabeth Oriel  
Endangered Habitats League: Dan Silver  
Black Surfers Collective: Jeff Williams  
Humane Society of U.S.: Nicole Paquette, Vice President, Wildlife Protection  
Whaleman Foundation: Jeffrey Pantukhoff  
Coastal Environmental Rights Foundation; Sara S. Kent  
Shark Stewards: David McGurie, Director  
Smith River Alliance- Grant D. Werschkull, Executive Director  
Biodiversity First: Linda Seeley  
Tolowa Dunes Stewards: Sandra Jerabek  
Organization of Regional Coastal Advocates: Patricia Matejcek, Chair  
Friends of the Earth: Damon Moglen  
Surfrider Foundation, San Mateo Chapter: Edmundo Larena, Chair  
Los Cerritos Wetlands Land Trust: Elizabeth Lambe  
Grassroots Coalition: Jeanette Vosburg, Outreach Coordinator  
Environmental Protection Information Center (EPIC): Natalynne DeLapp  
Sea Shepherd Legal: Catherine Pruett, Executive Director  
Wildlands Conservancy: Dan York  
League for Coastside Protection: Michael Ferreira  
ECOSLO: Nancy Graves  
Faith Action for Animals: Rabbi Jonathan Klein  
West Marin Environmental Action Committee: Amy Trainer  
Origami Whales Project: Peggy Oki  
OPS: Candace Crespi  
S. California Watershed Alliance: Conner Everts