

## NOAA FISHERIES

Office of Protected Resources

1315 East-West Highway

13<sup>th</sup> Floor

Silver Spring, MD 20910

USA

29<sup>th</sup> August 2019

This letter is submitted in support of the following application:

**File Number:** 22382

**Project Title:**

Import of one Pacific white-sided dolphin (*Lagenorhynchus obliquidens*) from Vancouver Aquarium in Canada to Sea World of Texas for the purpose of public display

### **VANCOUVER AQUARIUM BACKGROUND – Cetaceans**

The last cetacean captured for public display at the Vancouver Aquarium, located in Stanley Park, British Columbia was in 1990.

In September 1996 the Vancouver Aquarium voluntarily announced that it would no longer capture cetaceans from the wild for public display. This was enshrined into a Park By-Law by the Vancouver City Board of Parks and Recreation, the Aquarium's landlord, in that same year.

In 2017 the Vancouver Park Board introduced amendments to its cetacean By-Law of 1996 prohibiting the movement of new cetaceans into Vancouver Parks and prohibiting the keeping of cetaceans in the Parks. The cetaceans already housed at the Vancouver at the time of passing of the By-Law passing were grandfathered.

In 2018 the Vancouver Aquarium announced that it would end the display of cetaceans at the Vancouver Aquarium in Stanley Park once the last remaining dolphin, Helen, is successfully relocated.

## **FEDERAL BILL S-203 and the *FISHERIES ACT***

Bill S-203 An Act to amend the Criminal Code and other Acts (ending the captivity of whales and dolphins) received royal assent in Canadian Parliament on 21<sup>st</sup> June 2019. This is a new law that includes grandfathering existing facilities and cetaceans in Canada, allows rescue and research where permitted but prohibits future breeding and the capture of cetaceans in Canadian waters.

Export of cetaceans from Canada is controlled under the *Fisheries Act* of Canada. Under the Fisheries Act the Fisheries Minister may, on application and on such terms and conditions as the Minister thinks fit, issue a permit authorizing the exportation of a living cetacean if the exportation is for the purpose of (a) conducting scientific research; or (b) keeping the cetacean in captivity if it is in the best interests of the cetacean's welfare to do so.

## **OCEAN WISE POSITION ON CETACEANS**

- Ocean Wise will end the display of cetaceans at the Vancouver Aquarium following the departure of the last cetacean on site, the Pacific white-sided dolphin, Helen.
- Ocean Wise will not collect cetaceans from the wild for display at the Vancouver Aquarium nor to replace the Pacific white-sided dolphin, Helen.
- The Vancouver Aquarium is in full compliance with all applicable Canadian laws related to cetaceans including the Vancouver City Cetacean By-law, Bill S-203 and the *Fisheries Act*.

Sincerely,



Lasse Gustavsson  
President & CEO, Ocean Wise