



Animal Welfare Institute

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October 21, 2021

Dr. Carolyn McKinnie
Senior Staff Veterinarian
APHIS Animal Care
4700 River Road
Riverdale, MD 20737-1238
carolyn.j.mckinnie@usda.gov

Sent via email

Dear Dr. McKinnie:

As a follow up to our complaint letter of July 16, 2021, we have now reviewed the recently-released June 8, 2021, inspection report for Miami Seaquarium (inspector E Gonzalez, ID no. 2016090000716829).

It is very clear something extremely harmful to the animals has been occurring at this facility. Simply allowing the Seaquarium to correct the described infractions would be woefully insufficient to safeguard the health and welfare of the animals in this facility's care. If it has not already, we *strongly* urge APHIS to initiate enforcement action of the highest order against Miami Seaquarium for past and ongoing infractions.

We are aware that there may be a change in ownership of the Seaquarium sometime in the near future, but to our understanding, this sale is not final and should not be a reason to delay enforcement action. Clearly, any delay puts these animals in real jeopardy under Palace Entertainment's management.

The Seaquarium has in its care the oldest known captive orca in the world, Lolita or (as the inspection report refers to her) Toki(tae). This whale is in imminent danger, given her preexisting health conditions. The lack in continuity of her care, given the recent turnover of staff (including the attending veterinarians), is especially harmful and dangerous at her age. The fact that the attending veterinarian, who made protective recommendations regarding Toki that were subsequently ignored, is no longer there is of deep concern. It is *imperative* that APHIS do its utmost to secure Toki's health and welfare, which have suffered over the past year or more, according to the inspection report.

Confiscation is a viable option. There are locations where Toki could realistically be placed—remaining at the Seaquarium is not her (or the other animals') only option. Quite frankly, her remaining at the Seaquarium should not be an option at all at this point. A management team that sees nothing wrong with feeding its marine mammals rotting fish cannot be relied upon to follow any directives from your agency or to maintain any corrections to these infractions.

We thank you for your prompt and diligent attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Naomi Rose", with a long, sweeping horizontal line extending to the right.

Naomi A. Rose, Ph.D.
Marine Mammal Scientist

A handwritten signature in black ink, appearing to read "Georgia Hancock", with a long, sweeping horizontal line extending to the right.

Georgia Hancock, Esq.
Of Counsel

CC: Amy Sloan, Office of Protected Resources, National Marine Fisheries Service
Peter Thomas, Ph.D., Executive Director, Marine Mammal Commission