

Initial Review of IMMS permit application to take releasable California sea lions for public display purposes

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General Comments:

Please note that the transfer of non-releasable California sea lions is not a permitted activity and is authorized in accordance with our regulations found in 50 CFR 216.27. The application may reference the option of acquiring a suitable non-releasable animal and should clearly indicate whether non-releasables will be considered before taking releasable animals, and if not, why. The take request is for the acquisition of releasable animals. References to the requested take in this permit application should be amended to only include releasable animals with the notation that non-releasable animals will also be considered (and under what criteria). **Done**

III. Please amend sentence to clarify that “IMMS is a USDA **licensed** marine mammal **public display** facility”. **Done**

IV.A. “IMMS would have the right to examine and evaluate the health and other factors of the stranded animals before accepting them.” Please note that criteria for acceptance will need to be outlined in the application (see below in section IV.C.3). **Done**

IV.B. “no animals will be collected **directly** from the wild” – Please clarify in this section that you are requesting releasables in lieu of a take from the wild. **Done**

“There are many examples where released stranded animals have been attacked and killed by predators, or have re-stranded after their initial release.”

How is this different than a functioning ecosystem?

When a rehabilitated animal restrands or is attacked or killed by predators this could indicate an inability to survive in the wild. This situation also illustrates the economic loss due to resources and time spent rehabilitating the animal. This differs from a functioning ecosystem because without the stranding network, this animal most likely would not have survived. In a functioning ecosystem, there would be no intervention by “a stranding network” and the animal would have died. If we allow “nature to take its course” then stranding networks would not be needed and neither would the NMFS Marine Mammal Health and Stranding Response Program.

“Such a take would **NOT** require collecting **healthy individuals directly** from the wild” **Done**

“Any **acquisition** would be predicated on the acceptance of the animal by our veterinary, husbandry and training staff.” **Done**

Does IMMS have agreements in place with stranding facilities to partner with? Again, criteria for selection will need to be outlined in the application (see below in section IV.C.3). See section IV. C.1.

Status of the stocks:

“Hundreds of live sea lions strand every year and many are either released, deemed non-releasable, or euthanized” Done

“In fact, in the fall of 2005 edition of the same publication, it was reported that the facility’s board approved a new euthanasia policy to include animals that could not be released or placed in adequate long-term captive care facilities.”

We are unaware of any marine mammal deemed to be non-releasable that has been euthanized due to a lack of available holding in a permanent facility. Please verify this statement and provide supporting documentation.

We based our comment on the 2005 fall edition newsletter of The Marine Mammal Center in Sausalito, CA, (which we had quoted). If this is not the case, we are willing to retract our statement.

“The stranding facilities are operating beyond their capacity, and are forced to euthanize animals due to lack of facilities and financial resources to care for them. Our proposed take is certainly a better alternative for the animal than euthanasia.”

It is unclear how your proposed take of releasable animals will help with the lack of facilities and resources. Unless IMMS is offering to start rehabilitating sea lions, which isn’t geographically practicable, there will continue to be space constraints at rehab centers and euthanasia will be a viable alternative to space issues.

In this statement, we are suggesting that putting stranded, rehabilitated California Sea Lions back into the wild, in an overpopulated environment, is exacerbating the situation. By sending fewer rehabilitated animals back to the wild, it would potentially reduce the number of re-stranded animals and would also alleviate pressure on the wild population.

“NMFS has deemed them a nuisance species and spends substantial sums each year trying to control the populations.”

Can you expand upon this and give some examples?

The following excerpt comes from a presentation given at the National Stranding Conference in West Virginia, April 6-9, 2010, entitled “**CHALLENGES FOR THE NORTHERN OREGON/SOUTHERN WASHINGTON MARINE MAMMAL STRANDING NETWORK**”, authored by Deborah A. Duffield; Barros, Nelio B.; D’Alessandro, Dalin; Chandler, Keith; Hussa Jason; Boothe, Tiffany; Rice, James M.

“We have had an upsurge in the number of sea lions that have been shot (both California and Steller), especially around the mouth of the Columbia River where several fisheries (including crab, salmon and sturgeon fisheries) abound and where decreases in the number of fish and the increase in the number of California sea lions, in particular, has focused a great deal of animosity towards marine mammals.”

Other illustrations of the statement come from various newspaper articles and stories about how California sea lions are being encountered more and more often in human environments, such as on piers, boats, and in residential areas such as private yards and porches. Please see Appendix F which gives an example of a related newspaper article, and Appendix B which contains photos demonstrating how sea lions have gone beyond their habitat and have begun intruding on the human habitat.

IV.C. (1) Please expand on the collection plan for IMMS. Include a time table for acquisition of releasable animals including the consideration of non-releasables. Which stranding facilities are you proposing to partner with? What will be the process by which an animal will be evaluated regarding its conformation to your requirements? [Done](#)

(3) What are the criteria needed for your program? In addition to age and sex, this should include health status, body condition, etc. Indicate if non-releasable animals will be given first consideration and whether you will accept animals with debilitating wounds or other conditions requiring special treatment (e.g., blindness, seizures from domoic acid), reestranded animals, etc. What kind of program will these animals be used in (what level of training is needed, will animals interact with the public, etc.)? [Done](#)

You need to expand the transport section. Under what circumstances would an animal be trucked versus flown to your facility? On average what is the average transport time for each option? Can you describe the cages (dimensions and materials), transport protocols, and qualifications of attendants? [Done – see permit application.](#)

IV.D. is applicable. You are requesting a permit in lieu of a take from the wild; these animals would be released to the wild if not selected for your program.

You can state that for questions 1-6 that the collection associated with the stranding response would be done under the authority of the stranding network. [Done](#)

(7) Please justify your take of releasable animals as opposed to acquiring animals from other public display facilities or waiting for non-releasable animals to become available. [Done](#)

(9) This section should contain your criteria for selection of an animal for your program as well as the safe guards to ensure that this animal will be suitable and contingency plans if the animal is not suitable for your program. [Done](#)

IV.F. “these individual sea lions may add important genetic diversity to the captive population”

Is IMMS interested in maintaining a breeding population of sea lions? **Yes**

Regarding the genetic diversity, can you describe your plans for partnering with other facilities to manage captive sea lions as a single captive population (i.e., do you plan to partner with other facilities and breed these animals)? **Done**

(a) “There are no **significant** adverse effects...” **Done**

“The act of keeping the aforementioned stranded sea lions in captivity for public display is a much better alternative than euthanasia, not only for the individual animal, but for the species, as well as the human environment.”

This sentence is only applicable to taking non-releasable animals. Can you explain how taking releasable animals is a better alternative to the species and to the human environment?

This sentence suggests that keeping 8 sea lions in captivity for public display is better than euthanizing the animals, not only for the individual animal but also for the species and human environment. This is because if you euthanize an animal, it cannot serve as an ambassador for its species. Many captive animals serve this purpose by performing educational presentations and being an integral part of educational exhibits. By serving as a living tool for educating the public about their species and marine conservation issues, these animals can promote conservation of their species. Humans benefit because as a species, humans need healthy oceans and marine ecosystems for subsistence, commerce, recreation, and other reasons. If sea lions and other marine mammals can captivate the public by being a vital part of an educational message about marine conservation, then as the oceans benefit from better conservation practices, so will human beings. In addition, it is consistent with the Marine Mammal Protection Act (MMPA) to use these animals in educational programs and it promotes the MMPA goals and objectives.

Humans may also benefit because there may be a few less nuisance animals intruding in the human environments. As mentioned in section IV. B. in the permit application, and as illustrated in Appendix B of the application, there have been many occurrences of California sea lions intruding on human environments in destructive and potentially dangerous ways. These actions have caused some human communities to harbor considerable anger for the species and consequently in some instances, negative human interaction (HI) has resulted in unfortunate circumstances for individual sea lions. The education factor can be a benefit in this regard as well, because as more people are educated about sea lions, HI threats, marine ecosystems and marine conservation issues, perhaps there will be fewer HI threats for sea lions. Lastly, though our take request is infinitesimal in terms of the stock population and PBR, there would be less competition for food if 8 less sea lions were released back into the wild population. This represents

another benefit for the species as our take would decrease the load and stress on the wild population.

(b) “In summary, there would be no **significant** impact on the wild stocks...” Done

(c) “NMFS has authorized the lethal take of hundreds of sea lions to protect the salmon stocks”

Please identify the source of this statement and note that the current list identifies less than 100 sea lions for removal. In the application, the source is already listed as “personal communication with NMFS headquarters” but we have amended the application so that it reads “almost one hundred sea lions”. As these animals are available for relocation to public display facilities, please explain why one or more of these animals are not appropriate for your program. These animals are much too large (approx 500 to 1,000 pounds) and aggressive, and are not easily trained because of their age, size and behavior. They would require special protective mechanisms which our facility is not capable of providing, and therefore they would not be suitable for our program (described in section IV.C.3). In addition, they would likely present a danger to the safety of our staff and the public.

Will these animals participate in any interaction programs, if so, what about the safety of the visiting public?

As mentioned in section IV.C.3., at the current time, we are not planning to have the animals participate in swim or “in-water” programs. However, the sea lions may participate in “meet and greet” type programs where they pose for photos with guests, or shake hands/flippers with a guest. In such cases, the visiting public’s safety is one of our greatest concerns. We are required by our liability insurance policy to provide proper safety measures at our facility for both animals and human beings that interact with the animals, including animal care and training staff, and the general public.

VI.A. How are/will rehabs be quarantined from the public display animals? Will the rehabs and the collection animals share the same exam/vet space? What are your contingency plans regarding natural disasters (e.g., hurricanes)?

The rehab animals and the collection animals will not need to share the same living, exam, or vet space. We plan to quarantine the acquired rehab animals from the public display/collection animals by housing them in the two separate facilities that we have on property. These two sea lion areas are physically separated and have separate filtration systems.

Our contingency plans for natural disasters include crating the animals and transporting them in a covered truck to safety.

VII. You can make mention of your other authorities under the MMPA including your GA for dolphins surveys and your LOA agreement with the Stranding Program. You can also mention your research, education, and rehabilitation partnerships under cooperating institutions. [Done](#)