



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
Silver Spring, MD 20910

Mr. Brad Andrews  
Corporate Vice President  
Zoological Operations  
Sea World, Inc.  
7007 Sea World Drive  
Orlando, Florida 32821-8097

NOV 14 2006

Dear Mr. Andrews:

Enclosed is Permit No. 116-1843-00 issued to the Sea World Inc., which the importation into the United States of three male beluga whales (*Delphinapterus leucas*) from the Marineland of Canada, Ontario, Canada for purposes of public display at Sea World of Florida, Orlando, Florida.

Please review the permit to ensure that you understand what is authorized and that you comply with the permit conditions. The original permit and a file copy of the signature page are enclosed. Please sign and date both signature pages, and return the signature page marked "FILE COPY" to our office. In the future, should you need to modify this authorization, please submit a request to the Chief, Permits, Conservation and Education Division.

In accordance with standard permit language based on previous comments received from the U.S. Department of Agriculture, Animal and Plant Health Inspection Service (APHIS), please note that Special Condition B.1.d. requires that the travel plan be documented at your facility, and the animals must be accompanied by a health certificate signed within 10 days of the transport. Also note that Special Condition B.1.e. requires the proper CITES export permit from Canada be obtained prior to import into the United States.

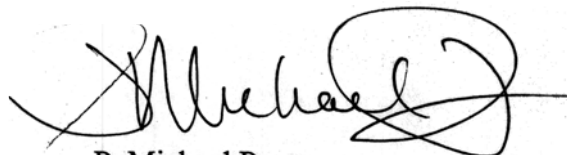
An inspection of the subject animal is required at the time of import into the United States (*i.e.*, at the port of entry) by the U.S. Fish and Wildlife Service (USFWS) and APHIS. If you have further questions regarding arrangements for and requirements of this inspection, please contact USFWS Law Enforcement Division (Miami; 305/526-2610) and APHIS (301/734-8364).

According to the MMPA, the National Marine Fisheries Service (NMFS) is required to maintain an accurate inventory of marine mammals held in captivity. As indicated by Special Condition B.2.a., upon completion of the import, please fill out the enclosed Marine Mammal Data Sheet and return it to the Director, Office of Protected Resources. In the event of the death of any of these animals or the birth of any progeny, NMFS is to be notified within 30 days, as required by Special Condition B.2.c.



We also request that you contact our office once a transport date has been confirmed. Please note that Permit No. 116-1843 is not valid until our office receives the signed copy of the signature page. You may submit the copy by facsimile to (301) 427-2521 and confirm by mail. If you have any questions concerning the permit, please contact Jennifer Skidmore or Kate Swails at 301-713-2289.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Payne", with a large, stylized flourish at the end.

P. Michael Payne  
Chief, Permits, Conservation  
and Education Division  
Office of Protected Resources

Enclosures

cc w/encl: Tim Ragen, Ph.D., MMC  
Barbara Kohn, D.V.M., APHIS



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Silver Spring, MD 20910

Permit No. 116-1843  
Expiration Date: November 30, 2007

## PERMIT TO IMPORT MARINE MAMMALS FOR PUBLIC DISPLAY

### Authorization

Sea World, Inc., 7007 Sea World Drive, Orlando, Florida 32821-8097 [Brad Andrews, Responsible Party] is hereby authorized to import three male beluga whales (*Delphinapterus leucas*) into the United States from Marineland of Canada in Ontario, Canada to Sea World of Florida in Orlando, Florida, as specified below for public display purposes, as described in the application, and subject to the provisions of the Marine Mammal Protection Act of 1972, as amended (MMPA; U.S.C. 1361-1407), the regulations governing the taking and importing of marine mammals (50 CFR Part 216) and the Conditions hereinafter set out.

### A. Number and Kind of Marine Mammals

Three male beluga whales (*Delphinapterus leucas*), identified as “Juno,” “Klondike,” and “Aurek.”

### B. Special Conditions

#### 1 Import/Display

- a. The importation of the beluga whales authorized above shall be conducted as described, and for the purposes set forth, in the application.
- b. The authority to import the animals to Sea World of Florida authorized herein shall extend from the date of issuance through **November 30, 2007**.
- c. The subject animals must be transported from Canada to the United States in accordance with the U.S. Department of Agriculture’s standards entitled “Specifications for the Humane Handling, Care, Treatment, and Transportation of Marine Mammals” (9 CFR Part 3, Subpart E).
- d. Prior to importation into the United States, Sea World, Inc. must have the travel plan documented at their facility, and the animals must be accompanied by health certificates signed within 10 days of the transport.
- e. The importation of marine mammals is subject to the provisions of 50 CFR part



14 (*i.e.*, no marine mammal may be imported without the required CITES permits).

- f. Sea World, Inc. and any subsequent recipient must continue to meet the three public display criteria required by §104(c)(2)(a) of the MMPA. Sea World, Inc. must notify the Office Director by certified mail if the APHIS licenses issued to any of its facilities are revoked, suspended, or terminated.
- g. The marine mammals obtained under this permit may not be taken, sold, exported, transported or otherwise transferred, for any purpose other than public display unless a separate permit for scientific research or enhancement purposes has been issued.
- h. The marine mammals obtained under this permit may not be released into the wild unless such a release has been specifically authorized under a separate scientific research permit that has been issued for that purpose.

The terms and conditions of this permit shall remain in effect as long as the subject marine mammals imported hereunder are maintained under the authority and responsibility of Sea World, Inc.

## 2. Notifications/Reports

- a. Upon completion of the importation from Canada, Sea World, Inc. must complete the attached Marine Mammal Data Sheets for the subject animals and submit them to the Office Director, Office of Protected Resources, 1315 East West Highway, Suite 13705, Silver Spring, Maryland, 20910.
- b. Prior to any subsequent transfer or transport of the subject animals within the United States, Sea World, Inc. must provide written notification to the Office Director of the proposed transfer or transport. A completed Marine Mammal Transfer/Transport Notification form (attached) must be received by the Office Director at least 15 days in advance of the intended transfer or transport. Sea World, Inc. must assure that the intended recipient meets the three public display criteria required by §104(c)(2)(a) of the MMPA.
- c. In the event of the death of any of the subject animals or birth of progeny including stillbirths, Sea World, Inc. must notify the Office Director within 30 days by submitting a Marine Mammal Data Sheet for the animal.
- d. Any progeny born in the United States will be subject to the MMPA.

- e. Upon request of the Office Director, Sea World, Inc. shall review and verify the accuracy of its Marine Mammal Inventory Report Summary (MMIRS). All reports shall be submitted to the Office Director at the address indicated above, in the requested format.

## **C. General Conditions**

### **1 Responsibilities of the Permit Holder**

- a. The Permit Holder, in signing this permit, shall be considered to have accepted and to be prepared to comply with, the provisions of this permit, applicable Regulations, and the MMPA.
- b. The Permit Holder is responsible for all activities of any individual who is operating under the authority of the permit.
- c. Individuals conducting activities authorized under the permit must possess qualifications commensurate with their duties and responsibilities, or must be under the direct supervision of a person with such qualifications.
- d. Under 50 CFR §216.40 of the Regulations, a violation of any of the terms and conditions of this permit or the Regulations shall subject the Permit Holder and/or any individual who is operating under the authority of the Holder's Permit to civil and criminal penalties, permit sanctions, and forfeiture as authorized in the MMPA and 15 CFR part 904. This permit is subject to suspension, revocation, and modification in accordance with the provisions of Subpart D of 15 CFR part 904.
- e. All personnel of the Permit Holder, including veterinarians requiring State or Federal licenses to practice their profession, shall be, and while employed by the Permit Holder in that capacity, remain, duly licensed under the appropriate law.
- f. The Permit Holder or designated agent shall possess a copy of this permit when engaged in the permitted activity, when the marine mammal is in transit incidental to such activity, and whenever the marine mammal is in the possession of the Permit Holder or agent. A copy of this permit shall be affixed to any container, enclosure, or other means of containment, in which the marine mammal is placed for purposes of transit, supervision, or care. For the captive subject marine mammal, a copy of this permit shall be kept on file at the maintaining facility.

## 2. Requirements for Importing and Transporting

- a. The marine mammals authorized by this permit must be taken, imported, and exported in a humane manner. In the event the Office Director determines that any method of taking, import, or export authorized herein or otherwise is not humane, taking, import, or export by such method shall immediately cease and shall not resume until an acceptable method of taking, import, or export has been prescribed by the Office Director. Any inhumane taking, import, or export shall subject the Permit Holder to the penalties of the MMPA, including revocation of this permit.
- b. The Permit Holder shall neither take, import, nor export any marine mammal that is pregnant, a lactating female, or an unweaned young animal, unless such taking, import, or export is specifically authorized in Section B. of this permit.
- c. No marine mammal may be imported unless the Office Director determines that the methods of taking, holding, and transporting marine mammals in the country of origin are consistent with applicable provisions and policies of the MMPA.

## 3. Transferability and Assignability

- a. This permit is not transferable or assignable to any other person, and the Permit Holder may not require any direct or indirect compensation from another person in return for requesting authorization for such person to conduct the taking, import, or export activities authorized in this permit.

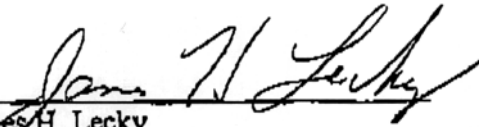
## 4. Permit Amendments

- a. Requests by the Permit Holder for an amendment to the provisions of this permit must be submitted in writing to the Office Director.
- b. The provisions of this permit may be amended upon reasonable notice to the Permit Holder by the Office Director.

## 5. Penalties and Permit Sanctions

- a. Any person who violates any provision of this permit is subject to civil and criminal penalties, permit sanctions, and forfeiture as authorized under the MMPA, ESA or 15 CFR part 904 [Civil Procedures].


- b. Any falsification of information pertaining to the permitted activities, including information provided to NOAA personnel, will be considered a violation of the permit.
- c. All 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.

  
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 James H. Lecky  
 Director  
 Office of Protected Resources  
 National Marine Fisheries Service

NOV 14 2006

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Date

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 Brad Andrews  
 Responsible Party  
 Sea World, Inc.

11-14-06  
\_\_\_\_\_  
Date

NMFS Permit No. 116-1843  
Expiration Date: November 30, 2007