

NOAA MARINE FISHERIES

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PUBLIC MEETING ON A PERMIT APPLICATION

FROM GEORGIA AQUARIUM

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IMPORT OF 18 BELUGA WHALES FROM RUSSIA INTO

THE UNITED STATES FOR PUBLIC DISPLAY

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FRIDAY

OCTOBER 12, 2012

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The Public Meeting convened in the
NOAA Auditorium at 1301 East-West Highway,
Silver Spring, Maryland, at 2:00 p.m., Michael
Payne, Moderator, Presiding

PRESENT

MICHAEL PAYNE, Chief, Permits and
Conservation Division, Moderator

JENNIFER SKIDMORE, Biologist, Permits and
Conservation Division

1 P-R-O-C-E-E-D-I-N-G-S

2 (1:58 p.m.)

3 MR. PAYNE: Okay, I just got the
4 go-ahead from my boss sitting to my right. We
5 can start now.

6 My name is Mike Payne. I want to
7 welcome everybody again. Bill Bailey did a
8 fine job of introducing you to NOAA, so he's
9 kind of taken some of my early comments, but
10 we are here today to discuss an issue that's
11 before the National Marine Fisheries Service.
12 This is a public meeting on a permit
13 application from the Georgia Aquarium to
14 import 18 beluga whales.

15 We -- as I mentioned, I am Mike
16 Payne, P. Michael Payne, but my friends call
17 me Mike. I am the Chief of the Permits
18 Division for the Office of Protected Resources
19 in the National Marine Fisheries Service,
20 NOAA.

21 Working with me today on this and
22 doing a lot of the leg work that brought you

1 here today is Jennifer Skidmore, who is
2 sitting to my right. She is the biologist in
3 the Division who is actually handling this
4 particular permit application and handles
5 pretty much all of the applications that have
6 to do with public display of marine mammals.

7 There are a few things that we
8 will talk about. This won't take too long,
9 because I want everybody to have a time to
10 speak if we can do this.

11 There is a registration table I've
12 already mentioned, and I would like everybody
13 to make sure you've already signed up. We're
14 using the list that we have as the list to go
15 on.

16 The order of speakers are based on
17 a number. I am pleased to tell you, or I am
18 pleased, however, that the number that you
19 have is not necessarily the number that you're
20 going to be speaking under.

21 For example, right now we only
22 have 28 speakers signed up. If you happen to

1 be Matthew Cronin and you're number 34, you're
2 going to be the 18th speaker, so with any luck
3 we're going to let everybody speak for five
4 minutes.

5 We will let you know when your
6 four and a half is up, and we should be able
7 to accommodate everybody, I hope. I was a
8 little worried about that this morning, but it
9 looks like we'll be able to do it, so that's
10 good news.

11 The microphones, as you can see,
12 are there and there. For those of you -- this
13 is a little bit awkward, because the numbers
14 aren't consistent with what you're going to be
15 speaking, but originally odd numbers were
16 going to speak over there on the left, even
17 numbers here on the right.

18 We're going to keep people queued
19 up so we don't take too much time in between
20 speakers. I will probably stop every once in
21 a while just to let people know when they're
22 in line to give you an idea of when you're

1 time is coming, but number one and number two
2 can line up that way in the next couple of
3 minutes. So odd numbers there, even numbers
4 there until we figure out a better way to do
5 it.

6 There will be no breaks. There
7 will be no breaks. If you have to go to the
8 restroom, please get up and do so. You were
9 told where they were.

10 If you go out of the building, I
11 will probably say that's probably frowned upon
12 by our security. If you do, just be prepared
13 to have your ID and check back in. Restrooms
14 are also kind of around the corner, down the
15 hallway, and to Grandma's house you go.

16 If you happen to be here for the
17 NOAA appropriation law training, you're on the
18 wrong side of the building. That's over
19 there, but I don't think too many people are.
20 There was actually somebody here earlier.

21 The purpose of this meeting is to
22 give people an opportunity to provide oral

1 comments on the Georgia Aquarium application.
2 I will reinforce this is not a forum to engage
3 in debate. Be courteous. Everybody has a
4 difference of opinion. There is no -- I've
5 never run into an issue where everybody
6 agrees.

7 We're not going to answer specific
8 questions. We would like to hear your
9 comments, and we will use them in the
10 development of the final rule.

11 One thing that I -- over the years
12 of doing this, the most effective thing that
13 you can do is be concise. We are not telling
14 you what to say. However, repeating the
15 information that is out there on the network,
16 out there in the media and the internet is not
17 as useful as providing a very concise comment
18 from your personal perspective.

19 When you are through, if you would
20 like, you can leave your written comments at
21 the desk where you signed in. If not, the
22 public comment period does continue, and we'll

1 talk about that a little bit later.

2 Right now, I would like to say --
3 let me see if there's anything else. As I
4 mentioned earlier, the application is to
5 import 18 beluga whales. If imported, they
6 would be the legal responsibility of the
7 Georgia Aquarium.

8 However, some of the animals would
9 be transported under this permit to other
10 partners, other public aquarium partners,
11 including several SeaWorld's and the Shedd
12 Aquarium in Chicago.

13 Right now, we do have -- the
14 National Marine Fisheries Service does work
15 under several statutes, primarily for this
16 particular purpose the Marine Mammal
17 Protection Act and the National Environmental
18 Policy Act, NEPA, and Jennifer is going to
19 come up and talk a little bit about some of
20 the specifics that we have to deal with.

21 The last thing I will say right
22 now before we turn it back over to me and we

1 start the public comment is that when you get
2 up to the microphone, say your name. Please
3 say your affiliation, and be very clear and
4 loud.

5 This is a public meeting for the
6 record. It is being recorded and will be part
7 of the process, part of the official record,
8 the administrative record for this particular
9 action.

10 So, with that, I'm going to turn
11 it over to Jennifer.

12 MS. SKIDMORE: Okay. Can
13 everybody hear me? All right. Welcome again.
14 My name is Jennifer Skidmore. I'm the
15 biologist who is responsible for processing
16 this application. First off, I just wanted to
17 give a brief overview and a background so that
18 we have sort of a foundation to start from.

19 This permit is being requested
20 under the Marine Mammal Protection Act. The
21 Marine Mammal Protection Act was enacted in
22 1972, and it was amended in 1994. Those

1 amendments included changes to Section 104,
2 which includes permits and the criteria for
3 public display.

4 The public display requirements
5 include maintaining a facility that is open to
6 the public on a regularly scheduled basis,
7 offering a program or education program based
8 on professionally recognized standards, and
9 being registered and holding an exhibitor's
10 license by the USDA Animal and Plant Health
11 Inspection Service.

12 Okay. Our implementing
13 regulations for the MMPA spell out the
14 issuance criteria for permits. This slide
15 points out the most relevant but not all
16 issuance criteria. Those include making
17 determinations regarding the humaneness,
18 impact on the species and stocks,
19 qualifications of the persons involved in the
20 facilities, and whether or not the import will
21 result in the taking of other marine mammals.

22 In addition to the issuance

1 criteria, we have permit restrictions also in
2 our implementing regulations, and those also
3 need to be considered when making our
4 decision.

5 The ones that are of most
6 relevance to this permit application involve
7 the take and import must be conducted in a
8 humane manner. Humane is defined in the MMPA
9 as the method that involves the least possible
10 degree of pain and suffering practicable.

11 The marine mammals may not be
12 pregnant or lactating, and the animals may not
13 be unweaned or less eight months old. In
14 addition, the persons involved must have the
15 appropriate license to conduct their duties.

16 In addition to the determinations
17 under the Marine Mammal Protection Act, we
18 also look at the National Environmental Policy
19 Act. NEPA, as it's referred to, was enacted
20 in 1969 with the purpose of assessing the
21 environmental impacts of proposed federal
22 actions on the environment prior to making

1 federal decisions.

2 NEPA requires that NOAA fisheries
3 consider the potential environmental impacts,
4 consider reasonable alternatives of those
5 actions, and provide opportunities for public
6 involvement, which include this public meeting
7 we're having today.

8 The federal action before us is
9 the proposed issuance of a permit to import
10 the beluga whales. Because it is the issuance
11 of the permit that is under consideration,
12 there are two alternatives for us to consider:
13 deny the permit or issue the permit with
14 standard conditions.

15 Right now, we are in the public
16 comment phase of the permitting process.
17 There are several ways to provide comments on
18 the application and the draft Environmental
19 Assessment.

20 Options for providing comments are
21 included in your information handout that
22 hopefully everybody received when they signed

1 in and are outlined on the slide before you.
2 Electronic comments may be viewed on
3 regulations.gov, and, as a reminder, you may
4 turn in written comments at the speaker sign-
5 in desk today or before the public comment
6 period ends on October 29.

7 So quickly I'm just going to give
8 an overview of the steps in the process. So
9 the application was submitted in June of this
10 year. The public comment period opened on
11 August 30, and we are having a 30-day public
12 comment period.

13 We are holding a public meeting,
14 which you are all at and you are aware of.
15 The public comment period, again, closes on
16 October 29. Oh, I'm sorry, 60 days, the 60-
17 day public comment period. They're normally
18 30 days.

19 The next steps. A transcript of
20 this meeting will be posted on our website
21 when it is available. All comments will be
22 reviewed and considered. Substantive comments

1 will be addressed. The EA will be revised as
2 necessary and finalized, and, finally, a
3 decision on the application will be made.

4 We are now going to start the
5 public comment portion of this meeting. Mike
6 Payne, as you met before, will be going over
7 the logistics of how this will work. Thank
8 you for coming.

9 MR. PAYNE: Okay. I think we can
10 actually begin now. Again, please be
11 respectful of the speakers. This is a large
12 room, but it gets very noisy very fast.

13 Back chatter, I'll probably have
14 to ask you to quiet down, although I do expect
15 some. I can't imagine a public meeting going
16 its entirety sounding like a church group like
17 this is right now.

18 If you do leave before the meeting
19 is over, just remember there is another
20 meeting in the auditorium across from us until
21 about 4:00, so if you have a lot of
22 conversation, just please take it outside.

1 It's a nice day. Sit outside and get some
2 fresh air.

3 We will give everybody five
4 minutes. At four and a half minutes our
5 timekeeper -- Howard Goldstein and Trevor
6 Spradlin is here somewhere. One of the two of
7 them will lift up a card that says, "30
8 seconds." I will ask you to wrap it up in 30
9 seconds.

10 If everybody sticks to this, we
11 should have plenty of time at the end. I
12 mean, we'll be done by 4:30, 5:00, roughly.
13 If we have to -- if we have maybe 10 or 15
14 minutes for more comment if you like, but
15 let's get through the formal public part of
16 this first.

17 With that, if there are no
18 questions about the process, I'm going to do
19 it this way. The first four speakers, Brian
20 Davis, Georgia Aquarium, Kevin Willis --

21 Oh, before I start, people do
22 realize this was randomized. There are kind

1 of blocks of people here. There's a group
2 from Georgia. There's a group from
3 environmental groups, and we didn't want
4 everybody to speak at the same time basically
5 with the same view.

6 So we've kind of randomized it, so
7 the list of speakers is the way that
8 randomization came out. It looks like it
9 worked pretty well.

10 So the first speaker is Brian
11 Davis from the Georgia Aquarium. Second
12 speaker will be Kevin Willis, the Alliance,
13 third speaker, Mariko Terasaki, excuse me,
14 Terasaki, AWI, and the fourth speaker is Dr.
15 Greg Bossart from the Georgia Aquarium.

16 So one and two, three and four,
17 just be ready to give their presentations. We
18 can begin. Thank you.

19 DR. DAVIS: All right. Good
20 afternoon, everyone. My name is Dr. Brian
21 Davis, and I serve as the Vice President of
22 Education and Training at the Georgia

1 Aquarium. I earned my bachelor's degree in
2 environmental science from Rutgers University
3 and my master's and PhD in science education
4 from Georgia State.

5 My life has been committed to
6 education. Shaping the minds of our nation's
7 youth, as well as adults, to ensure
8 opportunities for their continued growth and
9 development is vitally important to me.

10 I was hired as the Director of
11 Education two years prior to the Georgia
12 Aquarium opening its doors. I was the eighth
13 person hired as part of the team and felt
14 truly fortunate to be involved at some an
15 early point in the development of the
16 Aquarium.

17 Creating and hiring for the
18 position of Education Director so early in the
19 project signaled to me that education would
20 always be paramount at the Georgia Aquarium,
21 so much so that the investment in students and
22 all of our guests took shape prior to the

1 structure itself being built.

2 Education was not an afterthought
3 in our facility. In fact, the Aquarium was
4 designed to incorporate what we call the
5 learning loop. It's a separate floor
6 specifically designed for students and
7 teachers.

8 In this area we have dedicated
9 learning opportunities and classroom space,
10 and students receive directed learning which
11 perfectly complements what our guests receive
12 from viewing belugas and other aquatic animals
13 in our public spaces.

14 As a premier marine science
15 education institution, Georgia Aquarium has
16 reached more than half a million students
17 through outreach programs and Aquarium visits.
18 Our education programs support both the
19 Georgia performance standards and national
20 curriculum standards.

21 More than 100,000 students have
22 benefitted from the Aquarium's Sponsored

1 Admissions Education Program, and that
2 provides greatly reduced or free admission to
3 less privileged students and gives them a
4 chance to visit the Aquarium and develop an
5 interest in the conservation of aquatic
6 animals.

7 We also provide a wide range of
8 professional development opportunities for
9 teachers that they can enrich their classroom
10 environment for their students. We have found
11 engaging mechanisms to ensure that over two
12 million people that visit our facility
13 annually understand and appreciate issues
14 confronting beluga whales and other animals in
15 their natural habitats.

16 We empower our guests by providing
17 them with a greater understanding of the role
18 that they can play in conserving aquatic
19 species and their natural habitats.

20 Although our guests connect with
21 almost every animal at the Georgia Aquarium,
22 it is clear to us that belugas have a unique

1 place in their hearts, which I firmly believe
2 leads to the curiosity and caring about their
3 welfare.

4 Shortly after our guests get that
5 first glimpse of the whales, the questions
6 come, questions like, "Where are they from?
7 What do they eat? How big do they get? Why
8 are they white?"

9 The endless stream of questions
10 begin, and the opportunity to educate our
11 guests is seized through conversations,
12 interpretive materials, and much more.
13 Through all of these channels we strive to
14 enlighten our guests about belugas in the
15 wild, the perils they face, and what our
16 guests can do to ensure belugas remain on
17 earth.

18 Now, I know the power of zoos and
19 aquariums first-hand from the perspective of
20 a classroom teacher. I started my education
21 career in the aquarium that displayed beluga
22 whales. Years later, I became a seventh grade

1 life science teacher.

2 Even today, I recall the first
3 time standing in front of my seventh grade
4 class, attempting to describe how beluga
5 whales move and engage in the aquatic world.
6 My experience with belugas fascinated me, and
7 I was hoping to accomplish the same feeling
8 with my students.

9 I tried and tried to spread that
10 fascination and create an opportunity for
11 learning for my students. No matter how hard
12 I tried, I was unable to create the same level
13 of interest and learning about belugas in my
14 classroom that I knew first-hand.

15 At that opportunity, the Georgia
16 Aquarium did not exist, but now with the
17 Aquarium we can make every teacher's words
18 come to life. I can appreciate it when an
19 excited teacher arrives with my students and
20 stands in front of the beluga exhibit.

21 I have had interactions where
22 teachers have said, "I've tried to describe

1 belugas to my students, but they just weren't
2 getting it, so I figured I would bring them
3 here and let them see first-hand."

4 Georgia Aquarium is a unique
5 learning opportunity, and we enrich the
6 classroom environment and lives of every one
7 of our guests each day. The book Building the
8 Future for Wildlife states, "Zoos and
9 aquariums enable people to develop
10 appreciation, wonder, respect, understanding,
11 care, and concern about nature."

12 It also notes, "Zoos and aquariums
13 appeal to very broad audiences and has huge
14 numbers of visitors and therefore has the
15 potential for a very important source of
16 environmental awareness, training, and action
17 for a sustainable future."

18 In conclusion, at Georgia Aquarium
19 we see this each and every day as our guests
20 of all ages utilize this facility to learn,
21 make connections, and take action. We are
22 proud that the Georgia Aquarium can serve as

1 a mechanism of change that can educate and
2 hopefully influence the policy-makers of
3 tomorrow to ensure healthy and sustainable
4 beluga populations. Thank you.

5 MR. PAYNE: Thank you. Mr.
6 Willis?

7 MR. WILLIS: My name is Kevin
8 Willis. I have been the Chair of the Alliance
9 of Marine Mammal Parks and Aquariums
10 Population Management Task Force since 2001.

11 The role of the Task Force is to
12 provide general guidance on the breeding of
13 animals, to provide estimates of various
14 genetic and demographic parameters, and to
15 provide assessments of the viability of
16 populations of marine species in our care.

17 I'll briefly cover four topics.
18 First, this importation is necessary to
19 increase the chance that the beluga population
20 will grow in size over time on its own.

21 Computer models show that over the
22 past ten years this population has had

1 sufficiently high survival and reproductive
2 rates to produce positive population growth.
3 However, that growth is very unlikely to be
4 realized, because the current population has
5 too few reproductive age animals to produce
6 that growth.

7 Second, it is critical that this
8 importation occur as soon as possible. Even
9 with the potential to grow, small populations
10 are vulnerable to random factors. For
11 example, the gender of offspring is a random
12 factor with a 50/50 chance that any offspring
13 is male or female.

14 In demography, males only count in
15 total population size. They do not count in
16 population growth. Therefore, the chance
17 production of an excess of male offspring can
18 diminish the ability of a population to grow.

19 Our current population requires
20 about three births per year to remain stable
21 in size. The chance in any given year that
22 all three of those offspring are male is one

1 out of eight, and this did, in fact, happen in
2 2007.

3 To maintain a population at its
4 post-importation size would require about five
5 births per year. The chance that all five
6 male would be offspring in any one given year
7 is only one out of 32, four times less. This
8 demonstrates that even a relatively modest
9 increase in population size can significantly
10 buffer a population against random factors.

11 Third point, I know of no
12 organization that uses longevity as a
13 surrogate measure of the quality of life.
14 Longevity or the longest-lived individual in
15 a population is by definition not
16 representative of that population.

17 As an example, current longevity
18 for humans is 122 years. That record was set
19 by a person from France, but as a nation
20 France does not have the highest life
21 expectancy. In fact, I don't believe France
22 currently is in the top ten on that list.

1 Finally, the World Health
2 Organization, as well as many other
3 organizations, use life expectancy as a
4 comparative surrogate measure of the quality
5 of life in populations of humans both within
6 and among countries. This same measure can be
7 used for animal populations.

8 Based on a review of the
9 scientific literature, the ranges of both the
10 median and average life expectancies of beluga
11 in the wild and in human care overlap.
12 Therefore, based on this measure the quality
13 of life does not differ between those
14 populations. Thank you.

15 MR. PAYNE: Thank you. Thank you,
16 Mr. Willis. Ms. Terasaki?

17 MS. TERASAKI: Hello. My name is
18 Mariko Terasaki, and I represent the Animal
19 Welfare Institute.

20 Thank you for providing this
21 opportunity to speak today. Today I will be
22 summarizing some of our welfare concerns

1 regarding this import and providing an update
2 on the situation at Marineland in Ontario,
3 Canada.

4 Georgia Aquarium's plan to
5 transport and confine animals with the
6 potential to be released back into the wild is
7 socially regressive. It is our hope that you
8 will facilitate an alternative plan to
9 transport the belugas who are suffering in
10 substandard conditions in Marineland who may
11 actually benefit from being moved to Georgia
12 Aquarium and its partner facilities.

13 Much, although not all, of the
14 information on Georgia Aquarium's website
15 concerning the beluga whales is in line with
16 what we know about the animals.

17 It is ironic, then, that the
18 facility and its partners continue to boast of
19 its state-of-the-art facilities for their
20 ability to imitate a natural environment for
21 the whales after having disrupted their social
22 structure, confined their movements, and

1 limited their diet for entertainment.

2 Georgia Aquarium's main habitat
3 for belugas holds approximately 800,000
4 gallons of water, a fact frequently promoted
5 on their website, but the pool is only 24 feet
6 deep, less than one percent of the distance
7 that beluga whales can dive.

8 Conservative calculations,
9 according to experts in the field and, in
10 fact, according to Dr. Rose, who will be
11 speaking later, deem that the surface area of
12 the typical main enclosure is less than
13 1/10,000th of one percent the size of most
14 cetaceans' home ranges.

15 While many species of captive
16 animals live longer than their wild
17 counterparts, it is curious that captive
18 belugas do not live longer than their wild
19 relatives. If these facilities had been able
20 to replicate the environment that sustains
21 these animals, why do so many calves die
22 shortly after birth?

1 Perhaps the animals are stressed.
2 Perhaps as social creatures mother belugas
3 never learn how to be mothers. We have
4 educated guesses regarding stress and natural
5 behavior disruptions, but, regardless, we
6 believe that the mortalities point to the
7 inadequacies of confinement.

8 Within the six listed facilities,
9 an astonishing 56 belugas have died in
10 captivity. Thirty-seven were wild caughts,
11 and 19 died shortly after birth.

12 There are also many issues
13 concerning the welfare standards of the
14 capture methods used. In February of 2012,
15 the Director of Utrish Dolphinarium wrote to
16 Mr. William C. Hurley of Georgia Aquarium to
17 confirm that the collection of the beluga
18 whales was "done in the same manner as used by
19 scientists and regulatory agencies when
20 collecting beluga whales for tagging and other
21 scientific research."

22 He also stated that additional

1 precautions would be taken to ensure the
2 humane and safe treatment of the whales.
3 However, we have strong reasons to believe
4 that the collection method used for tagging is
5 not humane. The research tagging method
6 permitted by NMFS causes deep scarring that
7 has surprised even scientists who have used
8 the method.

9 The permit application states
10 permitting agencies have the discretion to
11 rely on the reasonable opinions of their own
12 experts, but the fact that NMFS permits the
13 type of research that cuts into the blubber by
14 several inches on a small odontocete and deems
15 it acceptable or humane is not only concerning
16 but raises some concerns about how reasonable
17 these expert opinions really are on the matter
18 of welfare standards.

19 There is also a lack of foresight
20 or concern for the welfare of animals who
21 might be harmed during transport. The
22 application does not establish any plans for

1 how animals will be treated who might fall ill
2 or become injured before arriving at their
3 final destination.

4 Similarly, the application is
5 unclear regarding which expert is responsible
6 for determining an animal's fitness for
7 transport and important treatment options,
8 including euthanasia or return to Russia.
9 Given the number of possible transport
10 mishaps, to not have a plan is reckless and
11 irresponsible and increases our doubts
12 regarding the soundness of the application as
13 a whole.

14 Finally, there is the issue of the
15 41 beluga whales in Marineland in Ontario,
16 Canada. As you know, this facility has been
17 under much media scrutiny this year for its
18 poor conditions exposed by former employees.

19 The beluga population there is
20 impossible to manage, as there are only three
21 segregated pools. According to Dr. Rose, who
22 visited the facility in September, belugas

1 were mixed with dolphins, and given that the
2 two species are from different habitats, the
3 water temperature was likely not in accordance
4 with temperature requirements in the Animal
5 Welfare Act.

6 Dr. Rose has also commented that
7 many of the animals, including the belugas,
8 had their eyes closed for most part of her
9 observation. A total of 51 belugas haven't
10 exhibited at Marineland, and 12 have died or
11 presumed to have died at the facility.

12 In conclusion, I would like to
13 remind you that these 18 beluga whales are 18
14 individual lives that have been ripped away
15 from their families and their natural
16 environments. There are dozens of beluga
17 whales in Canada that could benefit from
18 Georgia Aquarium and its partners' larger
19 facilities and veterinary care.

20 We firmly urge NMFS and NOAA to
21 deny this permit application and instead help
22 facilitate an alternative option that we are

1 certain would not weigh as heavily on your
2 conscience, would garner more public support,
3 would, in fact, help a number of individual
4 animals in Canada, and would give the belugas
5 in Russia another chance at freedom. Thank
6 you.

7 MR. PAYNE: Thank you. Thank you
8 very much. Before Dr. Bossart starts, the
9 next four, Brian Barnes from Earth Island,
10 Keith Kulinowski -- excuse me, Kulikowski from
11 Georgia Aquarium, Louise Bauck from Brenau
12 University, and Greg Green from ICF.

13 Dr. Bossart?

14 DR. BOSSART: Good afternoon. My
15 name is Dr. Greg Bossart. I'm the Senior Vice
16 President of Animal Health Research and
17 Conservation and Chief Veterinary Officer at
18 the Georgia Aquarium.

19 I earned my undergraduate degrees
20 in biology and physical geography from the
21 University of Pittsburgh and my doctorate in
22 veterinary medicine from the University of

1 Pennsylvania.

2 I was a comparative pathology
3 resident and NIH Fellow in the Department of
4 Pathology at the University of Miami School of
5 Medicine, and in 1995 I completed my PhD in
6 immunopathology at Florida International
7 University.

8 I have over 135 peer-reviewed
9 publications and have participated in
10 collaborative research with NMFS, NOS, Florida
11 Wildlife Research Institute, NIH, and ONR.

12 I am Adjunct Professor in the
13 Department of Pathology at the University of
14 Miami School of Medicine and the University of
15 Georgia College of Veterinary Medicine. I'm
16 an Affiliate Professor at Harbor Branch
17 Oceanographic Institute at Florida Atlantic
18 University and on the graduate faculty at the
19 Medical University of South Carolina.

20 I'm here today to discuss the
21 veterinary care programs at Georgia Aquarium,
22 which I believe to be among the finest in the

1 world.

2 Georgia Aquarium's Correll Center
3 for Aquatic Animal Health is a state-of-the-
4 art facility and consists of a fully equipped
5 veterinary hospital and diagnostic laboratory
6 staffed by five clinical veterinarians, two
7 veterinary pathologists, a parasitologist, a
8 nutritionist, and four veterinary technicians.
9 It is one of the largest and most modern
10 aquarium veterinary hospitals in the world.

11 The Correll Center is the only
12 facility that integrates an aquarium and
13 veterinary teaching hospital in the specialty
14 fields of aquatic animal medicine and
15 veterinary pathology in collaboration with the
16 University of Georgia College of Veterinary
17 Medicine.

18 This academic program contributes
19 to our knowledge and our understanding of the
20 underwater world and helps us supply new
21 discoveries to the husbandry, healthcare, and
22 conservation of aquatic wildlife.

1 In conclusion, the Aquarium's
2 animal health team has hundreds of years of
3 experience, combined experience, and dedicates
4 their lives to the health and well-being of
5 the animals in their care. Preventive
6 medicine is the foundation of the Animal
7 Health Program at Georgia Aquarium.

8 The animals at the Aquarium,
9 including the beluga whales, receive high
10 quality and consistent medical care. The
11 belugas receive daily exams by their trainers,
12 and any concerns are immediately reported to
13 the veterinary staff.

14 Additionally, the belugas receive
15 complete quarterly physical exams that include
16 a hands-on physical examination, routine and
17 specialized blood studies, including immune
18 profiles and infectious disease screening.

19 The Correll Center also has
20 digital x-ray, ultrasound, anesthesia, and
21 endoscopy equipment available onsite for 24/7
22 animal care. The Georgia's PhD nutritionist

1 evaluates and formulates each animal's diet.

2 All this clinical information is
3 placed into an electronic database so the
4 animals can be tracked and clinically
5 evaluated on an individual and population
6 basis. Thank you.

7 MR. PAYNE: Thank you, Dr.
8 Bossart. Mr. Barnes?

9 MR. BARNES: I'm Brian Barnes.
10 I'm a volunteer with Earth Island's
11 International Marine Mammal Project and Ric
12 O'Barry's Dolphin Project.

13 The belugas at the Georgia
14 Aquarium is seeking to import were captured in
15 2006, 2010, 2011 from Russia. Belugas in this
16 area were subject to intensive hunting until
17 the early 1960s, and the population is still
18 recovering.

19 Quotas were issued in 2012 for up
20 to 150 belugas to be taken by hunting and live
21 captures in the same region where these 18
22 belugas were captured. The rationale for

1 these import requests is so the captive beluga
2 collection is an important contribution to
3 marine conservation and public education and
4 is necessary to maintain captive breeding in
5 populations in U.S. facilities. However, such
6 captures are actually undermining protection
7 efforts for these populations of belugas.

8 According to the IUCN Cetacean
9 Specialist Group, the removal of live
10 cetaceans from the wild for captive display
11 and/or research is the equivalent to
12 incidental and deliberate killing, as these
13 animals are no longer available to help
14 maintain their natural populations.

15 Russia sets capture and hunting
16 quotas well over a thousand belugas annually
17 in all of its waters, despite the lack of
18 information and status of the most
19 populations.

20 In 1999, the Deputy Chairman of
21 the Government of Russia Federation
22 acknowledged that the beluga quota was based

1 on unreliable population estimates and
2 prohibited capture and export of belugas that
3 year. The live capture of beluga whales for
4 public display, for the public display
5 industry is currently carried out solely in
6 Russian waters.

7 The status of the species is the
8 concern for the Scientific Committee of the
9 International Whaling Commission, which
10 concluded in 1999 that only four of the 29
11 beluga whale populations were stable. No new
12 information has been produced to change the
13 conclusion.

14 Belugas are threatened across the
15 entire Arctic Range by climate change and
16 related impacts of oil and gas development,
17 over-hunting, over-fishing, vessel traffic and
18 pollution. Over-hunting has all but wiped out
19 the entire sub-population of Russian belugas
20 in the 1930s, and little is known about the
21 metapopulation other than that it is believed
22 to be still recovering.

1 Although preliminary population
2 estimates have been conducted for the
3 Sakhalin-Amur population, the assessments do
4 not adequately consider repeated targeted
5 removals from this distinct area in summer
6 feeding aggregations, which may result in the
7 disruption of social groups and loss of
8 important gene complexes, cultural traits,
9 ecological knowledge.

10 In addition, half of the 18
11 belugas to be imported have less than -- were
12 less than three years old when they were
13 captured, and several were listed at 1.5
14 years, suggesting that they are not
15 independent of their mothers, despite the
16 permit application's assurances that mothers
17 with calves are not targeted.

18 As a volunteer with Earth Island,
19 I just want to conclude to say that I
20 personally oppose the importation of the
21 beluga whales. Thank you.

22 MR. PAYNE: Thank you for your

1 comments. I apologize if I got your name
2 quite right, but Mr. Kulikowski?

3 MR. KULIKOWSKI: Kulikowski.

4 MR. PAYNE: I apologize again.

5 MR. KULIKOWSKI: Good afternoon.

6 My name is Keith Kulikowski, and I'm a seventh
7 grade life science teacher at a public middle
8 school in northern Georgia.

9 I've been a middle school educator
10 for nearly a decade, and I'm certified in both
11 social studies and science. I have an
12 undergraduate degree in history from the
13 University of Buffalo at SUNY, a master's
14 degree in education from Armstrong Atlantic
15 State University, and I'm a member of the
16 National Science Teachers Association.

17 I am a strong believer in the
18 incredible opportunities for learning and
19 education provided by the Georgia Aquarium.
20 The Aquarium provides opportunities for
21 observation, learning, and to study by
22 students. Equally important, Georgia Aquarium

1 provides training and resources for educators
2 that can be utilized within the classroom.

3 In the classroom, I teach ecology,
4 population, and animal behaviors, along with
5 food chains, food webs, the energy pyramid,
6 and other factors, all integral parts of
7 success of species on the planet.

8 Georgia Aquarium has an amazing
9 number of species and habitats, all of which
10 visually excite students, leading to a deeper
11 understanding of these animals and the
12 environment on which they depend. This
13 experience pushes students to learn more about
14 a particular species or the environment.

15 The beluga whales at the Georgia
16 Aquarium are a perfect example of this
17 phenomenon. The observations of the animals
18 and the excitement for learning that this
19 inspires means that we as educators can grasp
20 the opportunity to teach our students about
21 the geography of the animals' natural
22 habitats, their biomes and ecosystems, their

1 classification, and the evolution of species.

2 It is also a tremendous
3 opportunity for me as an educator to help my
4 students understand the all-important
5 conservation issues associated with this
6 incredible species and to challenge the
7 students to actively make decisions that will
8 positively impact conservation.

9 The real value of having beluga
10 whales at the Georgia Aquarium is what it does
11 for the public. It educates the public in
12 bringing these animals into everyday lives of
13 people visiting the aquarium. It educates the
14 public by bringing these animals into their
15 everyday lives.

16 In addition to the belugas,
17 Georgia Aquarium features an unbelievably
18 diverse grouping of individuals, a vast array
19 of different species that is more than most
20 people will see in a lifetime. Aquarium
21 guests leave informed about the animals, their
22 habitats, and their conservation needs.

1 Georgia Aquarium offers students
2 opportunities to be passionate and successful
3 while furthering the cause of aquatic animal
4 conservation on this planet. Science is
5 behind everything Georgia Aquarium does, and
6 all the different sciences taught in the
7 middle grades are the focus within its doors.

8 For the past three years, my class
9 has participated in an educational sleep over
10 program, just one of the many offered by the
11 Aquarium. More than 400 of my students have
12 participated with this thrilling educational
13 activity.

14 Many of my former students have
15 told me they do science differently because of
16 the experience and learning gained at the
17 Aquarium. They also plan to pursue college
18 degrees in science.

19 Nothing makes me prouder or helps
20 me recognize the positive impact that the
21 Georgia Aquarium has on kids than to hear
22 words like that. Thank you.

1 MR. PAYNE: Thank you very much.

2 Ms. Louise Bauck?

3 DR. BAUCK: Yes, indeed. Good
4 afternoon. My name is Dr. Louise Bauck, and
5 I'd like to thank you for the opportunity to
6 offer testimony today.

7 I am head of the Biology
8 Department at Brenau University in
9 Gainesville, Georgia, and I teach physiology
10 and zoology there. I am a veterinarian with
11 specialist qualifications in exotic animal
12 medicine, including marine animals.

13 My research interest is in
14 environmental enrichment, which involves both
15 animal behavior and animal welfare. I am not
16 employed by Georgia Aquarium, but at 7:00 a.m.
17 every Sunday morning I volunteer in the Mammal
18 and Bird Department.

19 This is my seventh year on the
20 faculty at Brenau University, and in my
21 capacity as an instructor and an advisor I am
22 fortunate to meet many of our incoming

1 freshman. In a typical first-year biology
2 class I find that fewer than half of our
3 biology majors have actually visited the ocean
4 or had an opportunity to do so.

5 Not a single individual in this
6 year's class of freshman, these budding
7 doctors, dentists, veterinarians, and marine
8 biologists could tell me with any clarity why
9 a beluga whale is classified as a mammal and
10 not a fish.

11 At Brenau University we are trying
12 to improve the connection between our students
13 and our oceans by using Georgia Aquarium as a
14 field laboratory site. We also require that
15 the freshman biology term paper be connected
16 to their observations of living marine
17 mammals.

18 In this way, when the students
19 travel to the Aquarium, they can actually see
20 the animal they're researching, reinforcing
21 the importance of the animals as valuable and
22 worthy of preservation. Our university is too

1 far from the ocean to allow observation of
2 wild marine animals.

3 As an educator, I could easily
4 assign our students to one of the typical
5 commercially available animal behavior
6 exercises involving brine shrimp or sow bugs.
7 This is hardly an inspirational experience.

8 In my opinion, there is nothing as
9 exciting to a prospective marine biologist as
10 a citation such as a beluga whale. What is it
11 about them that inspires and engages students?
12 The answer cannot be found in any textbook.

13 Many of our senior students are
14 privileged to participate in research projects
15 and internships at Georgia Aquarium. This
16 hands-on experience is essential to both
17 inspiring them and qualifying them for
18 additional education experiences elsewhere.

19 These undergraduate research
20 studies are observational-only in that the
21 students do not test anything other than a
22 hypothesis about the animal's behavior. I

1 cannot adequately explain the value of the
2 simple act of observing a living animal, a
3 living animal such as a beluga whale for a
4 prescribed length of time.

5 Georgia Aquarium provides special
6 training and access for these students to
7 strengthen that personal commitment that each
8 student has to the welfare of these animals.
9 In my opinion, students are more likely to
10 enter careers in conservation research because
11 of this background.

12 This year, one of our top students
13 in a pre-medicine major switched to a biology
14 major after volunteering at the Aquarium. She
15 now hopes to pursue a career in marine
16 biology.

17 In conclusion, there is value in
18 having beluga whales at Georgia Aquarium. As
19 an independent professional, I can assure you
20 that the health and welfare of these animals
21 is a top priority for everyone associated with
22 this institution.

1 I support the granting of this
2 import permit. Veterinarians tend to
3 prioritize difficult issues, a sort of triage.
4 There are so many other far more important
5 ways for groups and individuals who oppose
6 this permit to help wild and domestic animal
7 species that worrying about whether it is
8 proper to import this group of beluga whales
9 into an accredited institution seems
10 insignificant by comparison.

11 I would hope that issues of ocean
12 acidification, loss of the polar ice caps, or
13 the continued harvesting of marine mammals for
14 food will merit more attention. Thank you.

15 MR. PAYNE: Thank you very much.
16 Thank all the speakers so far for being so
17 concise, clear, and making my job very easy as
18 kind of a timekeeper. You're helping me very
19 much. I appreciate it.

20 Before Dr. Green gives his
21 presentation, I would like to say the next
22 four speakers. Eric Gaglione, Deborah

1 Colbert, Dr. Naomi Rose, and Dr. Lori Marino.

2 Dr. Green?

3 DR. GREEN: I'm Greg Green, marine
4 wildlife ecologist from ICF, and I'm here to
5 report on the Sea of Okhotsk beluga whale
6 studies that were led by Drs. Shpak and
7 Meshersky at the Severtsov Institute in Moscow
8 with support from Dr. Rob Hobbs of NMFS.

9 The research was conducted to fill
10 in data gaps regarding these populations and
11 to accurately estimate the parameters needed
12 to calculate a potential biological removal or
13 PBR.

14 Aerial surveys were conducted
15 multiple times in multiple years in all the
16 bays of the Shantar Sea in Sakhalin-Amur where
17 belugas congregate, and the population
18 estimates were calculated.

19 These calculations were reviewed
20 by a panel of beluga experts convened by the
21 IUCN. Abundance was estimated using average
22 counts as recommended by the IUCN panel.

1 Also, the panel recommended a
2 correction factor of two to account for whales
3 that were missed because they were below the
4 surface, resulting in a population estimate of
5 3,547 animals for the Sakhalin-Amur
6 aggregation below. No correction factor was
7 applied for newborns and yearlings that may
8 not have been observed because of their small
9 size and dark coloration.

10 In contrast, NMFS in their stock
11 assessment of Alaska beluga whales used peak
12 survey counts, not average, a correction
13 factor of 2.62 when estimating the PBR, plus
14 a correction factor of 1.18 to account for
15 young animals. If we were to apply the Alaska
16 correction factors to the peak number of
17 observed animals, rather than the average, the
18 Sakhalin-Amur population estimate would double
19 to over 7,000.

20 For calculating the PBR, the
21 minimum population, defined as the 20th
22 percentile of the population estimate, was

1 calculated then multiplied by one-half the
2 accepted net productivity rate of four percent
3 and then a one-half recovery factor. This
4 resulted in a Sakhalin-Amur PBR of 29 animals,
5 as calculated by the IUCN panel and later
6 corrected to 30 based on additional
7 recommendations from the panel.

8 This PBR is one percent of the
9 minimum population estimate and well above the
10 five-year average removal of 22 animals.

11 Thus, the PBR calculation of 30 animals for
12 the Sakhalin-Amur aggregation alone is highly
13 conservative, because, one, the average not
14 the peak count was used.

15 A very low correction factor for
16 submerged animals was applied. No correction
17 factor was applied for young animals. A 20th
18 percentile minimum population estimate was
19 used.

20 The estimated net productivity
21 factor was halved, and a recovery factor was
22 applied that halved the PBR further. Again,

1 if this PBR were calculated using the methods
2 and correction factors NMFS applies for
3 harvested beluga populations in Alaska, it
4 would double.

5 Satellite tagging and genetic
6 studies were conducted to help define the
7 stock. In 2000, the IWC provisionally
8 identified two stocks of beluga whales in the
9 Southern Sea of Okhotsk based on the
10 geographic distinction of summer aggregations,
11 the Shantar Sea, and the Sakhalin-Amur.

12 However, validity of the
13 separation of these stocks has been argued for
14 over 50 years. Those who believe there are
15 two stocks cite the beluga's natural lineal
16 fidelity to summer birthing grounds and effect
17 that behavior has on genetic structure in the
18 population.

19 Those who suggest there is one
20 stock note that both populations winter in the
21 same areas of the Central Sea of Okhotsk and
22 are probably mixed during the critical spring

1 mating season.

2 The results of the satellite
3 tagging studies confirm that belugas from the
4 Sakhalin-Amur population winter in the Central
5 Sea of Okhotsk, and two of the 12 whales
6 tagged in Sakhalin Bay were re-sighted the
7 following summers in Nikolai Bay in the
8 Shantar Sea.

9 Enough interchange between
10 Sakhalin and Nikolai Bays was noted to dispel
11 any hard separation between the Shantar and
12 Sakhalin-Amur aggregations. In addition, all
13 the whales that were tagged in Sakhalin Bay
14 spent the fall period in the Eastern Shantar
15 area before moving north to wintering grounds

16 Genetic studies were also
17 conducted and will be discussed by Dr. Matt
18 Cronin. If we were to assume that the
19 Sakhalin-Amur and Shantar comprise a single
20 stock, then the combined stock population
21 estimate is 9,240 with a population minimum of
22 8,632 animals using the conservative IUCN

1 methods.

2 One percent of this population
3 minimum results in a PBR of 86 animals, which
4 is even further above the average annual
5 removal of 22. Thank you.

6 MR. PAYNE: Thank you.

7 DR. GAGLIONE: Good afternoon.

8 I'm Eric Gaglione, Director of Zoological
9 Operations of Mammals and Birds at Georgia
10 Aquarium. I coordinate the team directly
11 responsible for the care, handling, and
12 training of the Aquarium's beluga whales.

13 I have been involved in marine
14 mammal management for 28 years. During this
15 time, I have cared for and transported 15
16 species of marine mammals. Cetacean species
17 include bottlenose dolphins, common dolphins,
18 Risso's dolphins, Amazon River dolphins,
19 harbor porpoise, pilot whales, and, of course,
20 beluga whales.

21 Most recently, I participated in a
22 working group of the Alliance of Marine Mammal

1 Parks and Aquariums to assist with the review
2 of animal transport standards for both the
3 Alliance and IATA.

4 I have had the unique opportunity
5 to make several visits to the Russian
6 Federation and to the Utrish Marine Station to
7 observe and assess the condition of the whales
8 that are the subject of this permit
9 application and to network with the Russian
10 team regarding logistical planning for animal
11 transport should the permit be granted.

12 With each successive visit, I have
13 become increasingly impressed by the care
14 provided by the Russian scientists and have
15 been inspired by their compassion for the
16 animals. Through our experience at the Marine
17 Station it is very clear to us that the
18 animals are in good hands and receiving a
19 level of care consistent with standards
20 required by APHIS for care and handling of
21 marine mammals in the United States.

22 We take transport of any marine

1 animal very seriously. The Georgia Aquarium
2 has executed some of the most challenging and
3 unprecedented transports in recent history
4 with the successful moves of various aquatic
5 species from areas all over the world.

6 Consistent with those moves, the
7 transport of these beluga whales will require
8 extensive and significant logistical planning
9 and expertise. Nothing, absolutely nothing is
10 left for chance. Our efforts are ongoing to
11 determine the best plan for bringing these
12 animals to the United States.

13 As with any major transport, we
14 spend countless hours detailing the schedule,
15 preparing equipment and rehearsing the process
16 and networking with aircraft and logistic
17 companies to ensure the animals -- to ensure
18 the transport is carried out in the safest and
19 most effective manner.

20 This transport will be conducted
21 in the same fashion we've accomplished
22 countless marine mammal transports over the

1 years and will meet standards set by the USDA,
2 IATA, and AMMPA.

3 The animals will be under the care
4 of the best personnel available in the world,
5 as we will assemble a group of 24 to 36
6 personnel from Georgia Aquarium and colleague
7 institutions that are highly experienced in
8 complex cetacean transports, including beluga
9 whales.

10 Through our experience, we have
11 continuously refined our approach to
12 transporting whales and have developed state-
13 of-the-art equipment designed to keep the
14 animals safe and comfortable during transit.

15 In my experience moving numerous
16 beluga whales over the course of my career, no
17 beluga whale has been harmed, injured, or died
18 during transit, and all safely acclimated to
19 their new environment upon arrival.

20 Additionally, I am aware of
21 several transports of beluga whales and other
22 large cetaceans conducted by close colleagues

1 using similar equipment and for time periods
2 comparable for our projected schedule. These
3 animals, too, arrived safely and uneventfully
4 to their destination facilities.

5 Careful attention will be placed
6 on making the transport and transition as
7 seamless as possible for the animals. We will
8 continue to network with the Russian team to
9 observe and experience the whales prior to
10 transport so we have thorough understanding of
11 their behavior and their social dynamics.

12 This information has been and will
13 continue to be used in the management plans
14 for the animals at their final destinations in
15 the United States. Additionally, key members
16 of the Russian animal care team will join us
17 on the transport so we have their insights
18 during the move and during the initial
19 acclimation of the animals post-transport.

20 In closing, animal transport is an
21 extremely dynamic process. We are very
22 confident in the plan outlined in our permit

1 application. We will continue to manage and
2 outline logistics related to this transport
3 and will adjust the plan should new
4 information deem it appropriate to make a
5 change that will further refine and improve
6 the transport of these beluga whales. Thank
7 you very much.

8 MR. PAYNE: Thank you. Ms.
9 Colbert?

10 DR. COLBERT: Well, good
11 afternoon. My name is Dr. Deborah Colbert,
12 and I am the Vice President for Conservation
13 and Science with the Association of Zoos and
14 Aquariums, also referred to as AZA.

15 I earned my master and doctorate's
16 degree in psychology, specializing in
17 neuroscience and cognition with a minor in
18 marine biology, and I have over 18 years of
19 research and conservation experience with
20 marine mammals in both wild and zoological
21 settings.

22 I also serve on the Detroit

1 Zoological Society's Zoo Animal Welfare
2 Advisory Committee, the American Humane
3 Association Scientific Review Committee, the
4 Building Ocean Awareness Together Advisory
5 Committee, and Chair the IMATA's Research and
6 Conservation Committee. I am deeply committed
7 to the care, welfare, and conservation of
8 wildlife and have made this passion the
9 guiding force in my career.

10 I joined AZA in 2008, and I am
11 currently responsible for furthering standards
12 of excellence in animal care and population
13 management within our accredited institutions,
14 as well as advancing AZA's conservation,
15 science, education, and stewardship
16 initiatives.

17 AZA is a non-profit organization
18 whose independent accreditation commission
19 oversees the world's most rigorous standards
20 and review processes for accrediting aquariums
21 and zoos. The Georgia Aquarium is an
22 accredited member of AZA in good standing that

1 meets or exceeds AZA's accreditation
2 standards.

3 Within the scientific community we
4 know that we learn the most about a species
5 when we study animals both in the wild and in
6 human care. By studying animals in the wild,
7 we are able to gain information about long-
8 term observable patterns of behavior, ecology,
9 and ethology for a species or population such
10 as social structure, habitat usage, and
11 migratory behaviors.

12 By studying the animals in our
13 care, we are able to gain a more detailed
14 knowledge of how their physiology allows them
15 to thrive, of how they perceive their
16 environment, of how they assimilate
17 information, and of how they react to
18 environmental stimuli or threats.

19 These two areas of study are
20 complementary and when considered together
21 offer unparalleled scientific knowledge with
22 substantial implications for management and

1 conservation of animals in the wild. Research
2 with animals in human care provides scientists
3 an opportunity to learn specific information
4 about a species that is impossible to gain
5 with animals in the wild.

6 For instance, through controlled
7 studies we have already learned a plethora of
8 information for many species such as their
9 blood chemistry, immune function, metabolic
10 processes, and thermoregulation abilities, as
11 well as their visual acuity, color vision,
12 tactile sensitivity, auditory frequency
13 detection thresholds, auditory temporal
14 processing rates, sound localization, and
15 echolocation capabilities.

16 We can also gain a much deeper
17 understanding of psychophysics, which
18 addresses the relationship between physical
19 stimuli and sensory processes. These types of
20 research are vitally important and, again, are
21 impossible to conduct in the wild.

22 When speaking of research

1 specifically with the belugas in our care,
2 there are several areas of investigation that
3 are needed to understand how this arctic
4 species thrives in the wild or, just as
5 importantly, may fail to thrive, as
6 anthropogenic factors alter their natural
7 habitat.

8 We know that climate change will
9 present new challenges for this species.
10 Given increased water temperatures and this
11 years record low measurement of arctic sea
12 ice, studies should be conducted to determine
13 what beluga nutritional needs are with
14 different calorically valued prey items, since
15 their normal prey species will migrate, what
16 their metabolic rates and thermoregulation
17 capabilities are in different water
18 temperatures, and what their bioacoustic and
19 diving capabilities are as the ship traffic
20 and oil exploration increases due to newly
21 opened waterways.

22 To believe that scientifically

1 sound behavioral, physiological, and sensory
2 studies with the animals in our care are
3 unwarranted would be irresponsible. To not
4 utilize every avenue of research available,
5 including studies with the animals in our
6 care, to help conserve a species would be
7 negligent.

8 The Marine Mammal Protection Act
9 recognizes the value of marine mammals in
10 human care as important to conservation and
11 education. Those goals will be furthered by
12 granting Georgia Aquarium's permit
13 application.

14 The activities described in the
15 permit application also comply with AZA's
16 accreditation standards, acquisition and
17 disposition policy, the Code of Professional
18 Ethics. We urge the National Marine Fisheries
19 Service to approve this permit to the Georgia
20 Aquarium. Thank you for your time.

21 MR. PAYNE: Together very much.

22 Dr. Rose?

1 DR. ROSE: Good afternoon. I am
2 Dr. Naomi Rose. I am the Senior Scientist for
3 Human Society International and Marine Mammal
4 Scientist for the Human Society of the United
5 States. I am speaking on behalf of our 11
6 million supports, and I thank you for the
7 opportunity to offer our views on this permit
8 application.

9 As a general matter, the HSUS and
10 HSI strongly oppose the live trade in wild
11 caught cetaceans. Our position is based on
12 ethics and science and on welfare, as well as
13 conservation concerns. We will focus our
14 testimony today on the significant body of
15 scientific research regarding the stress
16 cetaceans experience during capture, handling,
17 and transport.

18 The Aquarium, as well as NOAA's
19 Environmental Assessment, continues to promote
20 the standard rhetoric that the stress
21 experienced by cetaceans during capture,
22 handling, and transport is short-lived and

1 that these animals adapt well to captivity.

2 It is increasingly frustrating to
3 note the continued resistance within the
4 regulatory agencies and the public display
5 industry toward the substantial body of data
6 that directly contradicts this long-accepted
7 but largely unsupported paradigm.

8 New science demands new thinking,
9 but the public display industry and the
10 agencies that regulate it are refusing to
11 change with changing knowledge. It is
12 precisely the opposite of good education and
13 sound conservation to ignore data that don't
14 conform to one's world view.

15 According to the Aquarium's own
16 longevity analysis, which Kevin Willis
17 described earlier in his testimony, captive
18 belugas live as long as their wild
19 counterparts, but surely belugas should be
20 living longer than wild animals that encounter
21 numerous natural challenges and human-caused
22 threats.

1 As a representative of the
2 Association of Zoos and Aquariums has put it
3 only recently, in zoos "the food is easy to
4 get. The animals don't have to forage as hard
5 as they have to in the ocean. There aren't
6 predators and other things that can kill them,
7 so zoos are actually good places for these
8 animals to be."

9 So, then, why don't captive
10 belugas live longer? The logical answer is
11 that captivity has unique causes of mortality
12 that have as great an impact on beluga
13 survivorship as threats the animals face in
14 the wild. That is simple logic.

15 The most likely cause, in my
16 opinion, and it's plausible, is chronic
17 stress, which is known to reduce the ability
18 of animals to fight off disease. This
19 suggests strongly that the impacts of capture,
20 handling, transport, and confinement on these
21 animals are not short-lived but instead are
22 long-term, potentially cumulative, and

1 ultimately deadly.

2 If, in fact, the longevity of
3 belugas is shortened in captivity, as HSUS and
4 the HSI believe is the case, then the
5 requirement of the Marine Mammal Protection
6 Act that the proposed action does not
7 represent any unnecessary risks to the health
8 and welfare of these animals cannot be met.

9 According to research from as long
10 ago as the 1980s, handling and transport
11 produce a demonstrable change in hormone
12 levels and physiological reactions in
13 cetaceans similar to those humans and other
14 mammals experience during stressful
15 situations.

16 Research during the 1980s, 1990s,
17 and into the 2000s, including a 2012 paper on
18 belugas published by Mystic Aquarium
19 Researchers, has confirmed these results and
20 has also established that chronic stress can
21 lead to immunosuppression and susceptibility
22 to disease in cetaceans.

1 Furthermore, a seminal paper from
2 1995 published by a prominent researcher with
3 NOAA examining acclimation to captivity using
4 survivorship as a metric found that capture
5 and transport increased mortality risks in
6 bottlenose dolphins sixfold before it returns
7 to baseline after 35 to 40 days.

8 The animals react to transport
9 with similar mortality spikes. Even after
10 years in captivity, dolphins clearly perceive
11 transport as anything but routine.

12 They never get used to it, and it
13 affects them as strongly as capture directly
14 from the wild, and there is every reason to
15 assume that all small cetaceans would
16 experience capture and transport in a similar
17 way.

18 Certainly, beluga deaths during
19 transport have occurred, as reported by
20 Russian researchers four years ago, and the
21 2012 paper I just mentioned demonstrates that
22 captive belugas see transport as a far greater

1 stressor than normal social or confinement
2 stress.

3 Therefore, the fact that these 18
4 whales have been acclimating to confinement
5 for the past one to six years at Utrish on the
6 Black Sea is no advantage to them. They will
7 find the proposed transport as traumatic as
8 their captures, and none of this even begins
9 to address the exceptional nature of this
10 particular transport plan.

11 These animals are going to have to
12 be moved from two containers, from one
13 container into another container, as well as
14 into different planes, and that process on the
15 tarmac in Liege in Belgium I believe will
16 expose them to an exceptional amount of
17 stress, which, again, brings up the fact that
18 the requirement that this action represents no
19 unnecessary risks to the health and welfare of
20 the animals seems unlikely to be met.

21 So thank you again for the
22 opportunity to express our strong opposition

1 to this permit application. Thank you.

2 MR. PAYNE: Thank you. Dr.
3 Marino, before you start --

4 DR. MARINO: My name is Dr. Lori
5 Marino, and I am a neuroscientist at Emory
6 University. I am also the Executive Director
7 of the Kimmela Center on Science-Based Animal
8 Advocacy Organization.

9 I have been a science educator for
10 over 20 years at a major research university,
11 and I have studied dolphin and whale brains,
12 cognition, and intelligence for close to 25
13 years.

14 I have also conducted several in-
15 depth analyses of swim-with-dolphin programs
16 and the captivity industry's effects upon
17 animals in general. I have published over 90
18 peer-reviewed scientific papers, book
19 chapters, and popular articles on these
20 topics.

21 Today I'd like to talk about the
22 presumed educational value of these beluga

1 whale imports. I would like to cut through
2 the smoke and mirrors.

3 The Marine Mammal Protection Act
4 requires that public display facilities
5 provide a program of education that meets
6 professionally recognized standards, and the
7 Georgia Aquarium is quick to claim that this
8 beluga whale import will serve an educational
9 purpose.

10 To meet even minimum standards for
11 education, two simple criteria must be met.
12 First, the information must be accurate and
13 complete. Second, there must be evidence
14 based on valid outcome measures that people
15 are really being educated when they visit
16 these facilities.

17 I'd like to address the question
18 of whether either of these criteria are being
19 met. I will give examples of online materials
20 from SeaWorld and the Georgia Aquarium, but
21 I've also studied online information from the
22 Alliance and the AZA.

1 First, let's look at whether the
2 information provided about the animals on
3 display is accurate. Theme parks publish
4 material that is often false or misleading
5 about dolphin and whale intelligence.

6 They want to have it both ways.
7 They want on the one hand for the public to
8 think that these animals are so intelligent
9 that they're worth the price of admission, but
10 at the same time they downplay that same
11 intelligence so as to allay any ethical
12 concerns about keeping them in captivity.

13 Here is one example. On their
14 website SeaWorld claims that the evidence for
15 complex intelligence in dolphins is untested.
16 This is patently false. It ignores decades of
17 scientific peer-reviewed research showing that
18 many dolphins and whales possess the ability
19 to comprehend a human-based language, are
20 self-aware, and have highly developed
21 cultures.

22 Information on theme park websites

1 is also typically incomplete, and it is geared
2 toward biasing the public in favor of
3 captivity. This is true of the Georgia
4 Aquarium's so-called Education Program.

5 Here are some examples. One, if
6 one searches for information about bottlenose
7 dolphins on the Georgia Aquarium website, one
8 easily finds a list of reasons why dolphins
9 should be in captivity and nothing at all
10 about their natural lives or intelligence.

11 Two, so-called educational
12 materials on belugas include courses on animal
13 behavior with the following description.

14 "What is enrichment? Why do we train animals?
15 Before animals can live in a zoological
16 setting, biologists must understand what they
17 need and how they behave."

18 "While participating in this
19 exploratory experience, students discovery how
20 the Aquarium staff maintains he health of
21 these animals, as well as the training
22 techniques used in the process." This is not

1 an animal behavior course. This is an animal
2 husbandry and training course.

3 Three, Georgia Aquarium claims
4 their Animal Interaction Program, Beluga and
5 Friends, is an educational program when it is
6 clearly just a pet-the-beluga entertainment
7 exhibit, no different from any recreational
8 swim-with-the-dolphin program offered by other
9 theme parks.

10 And four, even the Georgia
11 Aquarium's Vice President for Education admits
12 that they don't provide specific information
13 to the public because of the fact that some of
14 their public have conservative beliefs. This
15 is not a formula for education.

16 I want to turn now to the question
17 of whether the education claims of the Georgia
18 Aquarium and the rest of the marine park
19 industry are based on valid outcome measures.
20 The theme park industry claims that the way to
21 assess learning is by asking visitors what
22 they believe or how they feel.

1 If I did that at my job, I would
2 be out of a job. I actually, as a researcher
3 and an educator, have to base learning upon my
4 own, you know, basically giving grades to the
5 students.

6 In their application to NOAA, the
7 Georgia Aquarium claims their educational
8 goals meet state standards but offer no data
9 to support this and cite no peer-reviewed
10 outcome studies.

11 In summary, despite the claims of
12 the Georgia Aquarium that this beluga import
13 will serve an education purpose, they have
14 provided no legitimate evidence that any real
15 education is taking place during visits to
16 these displays. They and their co-applicants
17 are not meeting the minimal standards set by
18 the MMPA.

19 It is for this and other
20 substantive reasons that I steadfastly oppose
21 the Georgia Aquarium's application. Thank
22 you.

1 MR. PAYNE: Thank you. The next
2 four speakers, Ms. Alison Shelton from the
3 Georgia Aquarium, Ms. Courtney Vail, WDCS,
4 Admiral Conrad Lautenbacher, and Martha Brock.

5 MS. SHELTON: Good afternoon. My
6 name is Alison Shelton, and since 2006 I have
7 had the pleasure of serving as a Principal of
8 a local public elementary school in Atlanta,
9 Georgia, which is located approximately three
10 blocks from the Georgia Aquarium.

11 I earned my bachelor of arts
12 degree in anthropology from DePauw University,
13 and I completed my graduate degree at Georgia
14 State, where I received my master's and
15 specialist degree in early childhood
16 education.

17 I began teaching, a career, 16
18 years ago and taught elementary grades at two
19 different Atlanta public schools prior to
20 accepting my current position. Among other
21 certifications and honors, I am a ten-year
22 National Board-certified teacher.

1 To help further illustrate my
2 background and the importance I place on
3 learning opportunities made available through
4 Georgia Aquarium, I would like to share some
5 of my core beliefs. I believe that all
6 students have the right to a high quality
7 education.

8 I believe that all students are
9 unique, and it is our responsibility to tap
10 into their strengths. I believe that school
11 climate should be focused on the work which
12 leads to student success.

13 I believe that teamwork and
14 collegiality are important components of an
15 effective school, and I believe the entire
16 school community that involves students,
17 teachers, administrators, parents, and the
18 community, and I will speak to that in a
19 moment, are responsible for delivering and
20 maintaining high academic standards.

21 I would like to share these
22 beliefs with you, because I firmly believe

1 that my school's association with Georgia
2 Aquarium helps me to deliver on those beliefs
3 with the students whose education for which I
4 am ultimately responsible for.

5 An integral part of education is
6 allowing students to experience, to touch, to
7 feel the types of environments that they learn
8 about, that they read about. Hands-on
9 learning creates an irreplaceable learning
10 experience for students, leaving an indelible
11 impression on the possibilities of learning
12 and careers as they mature.

13 Georgia Aquarium provides these
14 hands-on learning experiences for our
15 students. We have seen tremendous motivation,
16 enthusiasm, and interest in our students after
17 visiting and learning at Georgia Aquarium.

18 In today's world, this kind of
19 learning is not easy to achieve, and as
20 educators we seek the opportunity to expand
21 upon the classroom experience to make the
22 world around our students more real and more

1 important to them.

2 Centennial Place Elementary School
3 and Georgia Aquarium have forged a strong
4 community partnership created and developed
5 with the sole purpose of providing high
6 quality education and experiences to the
7 students. I believe those experiences related
8 to the educational programs created around
9 Aquarium's beluga whales to be especially
10 impactful.

11 Over the years, the students at
12 Centennial Place have benefitted from
13 interactive lessons, behind-the-scenes
14 experiences, and even personal one-on-one
15 instruction conducted by the Georgia Aquarium,
16 educators and volunteers.

17 It is especially important for you
18 to know that during the 2011-2012 school year
19 all 530 Centennial Place students were offered
20 the opportunity to visit the Aquarium free of
21 charge through the Aquarium's Sponsored
22 Education Admissions Program to see and learn

1 about the behind-the-scenes work of the
2 Aquarium.

3 The students were able to see
4 first-hand how the beluga whales are cared for
5 by the Aquarium's experts, how they are fed,
6 how they are trained, and how they are
7 provided with daily socialization and
8 enrichment.

9 The questions from the students
10 were numerous. It was especially rewarding
11 for me as an educator to glimpse the sense of
12 awe that these students felt and, furthermore,
13 the desire for information and learning that
14 these visits inspire in young minds.

15 I want to make sure that the fact
16 the Georgia Aquarium, which is a not-for-
17 profit entity, would find alternative sources
18 of funding in order to place learning for the
19 students in our community first is especially
20 gratifying to me and I believe illustrates the
21 institution's value as a venue which places
22 high priority on education.

1 Simply put, Georgia Aquarium is a
2 vital resource for our school, our students,
3 and our entire community without which our
4 chances to learning about the amazing world
5 under the surface of the water, an opportunity
6 available to everyone, would be far more
7 limited. Thank you very much.

8 MR. PAYNE: Thank you. Ms. Vail?

9 MS. VAIL: I'm Courtney Vail of
10 WDCS. Thank you for the opportunity to
11 present our perspectives. I will focus my
12 comments on conservation aspects of this
13 permit request, looking specifically at the
14 regulations and the failure of the application
15 Georgia Aquarium to meet those permitting
16 requirements.

17 More specifically, in looking at
18 the permitting regulations there are several
19 requirements and two major burdens of proof
20 that we need to look at. One, the applicant
21 must demonstrate, and I emphasize applicant,
22 not NMFS and not the agencies involved and not

1 the public, the applicant -- okay. Is that
2 better? Okay.

3 The applicant must demonstrate
4 that this proposed activity by itself or in
5 combination with other activities will not
6 likely have a significant adverse effect,
7 impact on the species or the stock.

8 The second burden of proof is that
9 the same permitting regulations require that
10 any requested permit will not likely result in
11 the taking of marine mammals beyond those
12 authorized by the permit. With those criteria
13 in mind, I'm going to move through four major
14 arguments to show that the applicant has not
15 met these burdens of proof.

16 The first one is that the import
17 applicant and the draft environment assessment
18 do not adequately address hunting and other
19 pressures encountered by the targeted
20 Sakhalin-Amur population in Russia and other
21 beluga populations in Russia.

22 We have noted before the IUCN

1 review and the draft EA note that the belugas
2 in this area have been targeted, have been
3 taken year after year, and were subjected to
4 intensive hunting until the early 1960s and
5 are still recovering.

6 Despite this acknowledgment in
7 both of these documents and by the applicant,
8 neither provides an adequate assessment of
9 current hunting pressures in the area and
10 traces recent exploitation of belugas for meat
11 only to 1999.

12 In fact, the IUCN report notes
13 that these hunted whales were taken by the
14 very same Marchenko family capture operation
15 where 31 whales were killed and their meat
16 sent to Japan. All were from the Sakhalin-
17 Amur population.

18 However, this does nothing to
19 substantiate indigenous hunting of belugas for
20 meat for local consumption, nor account for
21 the large quota issued annually. The
22 environment assessment inadequately notes that

1 inquiries regarding subsistence or illegal
2 harvest have yielded little data, and although
3 these activities may still occur, it would be
4 at very low numbers.

5 However, in 2012 we know the
6 quotas for the whole of the Sea of Okhotsk
7 region were 200 belugas. We know that 150
8 belugas can be taken from the northern region
9 where the 18 were captured, and we have no
10 substantiation of the hunting in this area
11 when we know that Russian government capture
12 quotas have exceeded 1,000 belugas annually
13 across populations and regions.

14 In addition, the EA, the
15 Environmental Assessment, notes that in 2011
16 33 whales were taken from this population,
17 which is over the PBR the Georgia Aquarium
18 partners calculated, so essentially they were
19 buying in a year that exceeded the PBR,
20 theoretically undermining their own
21 precautionary science and the conservation of
22 this population.

1 I am therefore unclear as to why
2 subsistence or indigenous take has not been
3 substantiated considering the significant and
4 repeated removals for captivity from this
5 population and the very non-precautionary
6 approach by the applicant considered the
7 allowable quotas for hunting and live capture
8 and the small margin of error allowed by the
9 identified PBR of 29 animals and this other
10 significant source of mortality.

11 The second point is that the IUCN
12 review of preliminary population assessment
13 research that has been cited in comments
14 before me is not an endorsement of the
15 captures or the import permit. In fact, it is
16 far from it.

17 If you look at the review, there
18 is quite a bit of concern expressed in that
19 review. Although I believe the applicant
20 intended the IUCN review to be an endorsement
21 of the captures that are already taking place,
22 important caveats and conditions are noted in

1 the IUCN data.

2 The IUCN acknowledges the
3 potential to deplete smaller groups in sub-
4 populations. This would include the distinct
5 summer feeding aggregations that are targeted
6 consistently by the Marchenko family capture
7 operations.

8 The IUCN also acknowledges the
9 potential to deplete important sex and age
10 classes. Live captures consistently target
11 the strong site fidelity of females within
12 this aggregation.

13 The sustainable removal of 29 to
14 30 animals per year in the Sakhalin-Amur
15 population could devastate a natural line if
16 all captures were made in one location, and
17 this is exactly what the permit application
18 states, that these captures occur consistently
19 in the same area.

20 This concern is exacerbated
21 considering that young females and juveniles
22 are preferred by public display facilities, as

1 evidenced by the permit application.

2 Furthermore, for those 36 belugas exported for
3 public display from Russia to Marineland since
4 1999, 29 were female, so we see this pension
5 for and predisposition for taking females.

6 Furthermore, the applicant is a
7 bit too confident in its written assurances
8 that the collection team can be so
9 discriminating as not to target mother-calf
10 pairs or juveniles less than a year old. In
11 fact --

12 Thirty seconds? Fifteen seconds?
13 Oh, my goodness. I knew I'd go over. I have
14 a lot to say.

15 Anyways, in closing, I do like to
16 say that I have an NGO statement, as well,
17 that represents over 64 international and
18 national organizations. Obviously, under the
19 NEPA process the NMFS has to consider all
20 public input as part of the permit request,
21 and I offer that for the record and will leave
22 that with you. I thank you for the

1 opportunity to comment.

2 MR. PAYNE: Thank you. A reminder
3 again, please, if you would like, you can
4 leave all your comments. I know everybody is
5 cutting their comments short. I do appreciate
6 that.

7 I do appreciate that you're
8 hitting the hard points. You are welcome to
9 leave them here, or you have a few weeks to
10 get them to us as part of the record.

11 Our next speaker is Admiral
12 Lautenbacher.

13 ADMIRAL LAUTENBACHER: Good
14 afternoon. I am Conrad Lautenbacher. I'm
15 representing the Georgia Aquarium.

16 I will dispense with the reading
17 of my CV, since my 47 years of service in the
18 public sector makes it part of the public
19 record except to say to the panel that from
20 2001 to 2008 you know that I had the great
21 honor of serving on your team as Under
22 Secretary of Commerce and the Administrator of

1 NOAA.

2 I want to say that I am the same
3 person as I was then. I am a lifelong
4 advocate of efforts to achieve a sustainable
5 planet, particularly for our ocean, for the
6 benefit of all living species in our
7 biosphere.

8 Currently, I serve on the Board of
9 Directors of the Georgia Aquarium. In this
10 role, I have unique insight into the
11 Aquarium's operations, initiatives, and
12 quality of animal care.

13 I unequivocally support the
14 Georgia Aquarium and its educational programs,
15 scientific platforms, and professional
16 standards. I am particularly connected with
17 the Georgia Aquarium's research and
18 conservation efforts, and a prime example
19 being the research associated with beluga
20 whales.

21 In this regard, our environment is
22 changing, and the impact on beluga whale

1 populations may be significant. Because of
2 this, we must double our efforts to ensure
3 beluga whales and other species receive the
4 right kind of protection they need to thrive
5 in the wild.

6 We simply cannot achieve this goal
7 without a population of animals available for
8 observation in controlled environments in
9 accredited U.S. facilities with expertise in
10 caring for these extraordinary animals.

11 Another facet of building a
12 sustainable planet, particularly with regard
13 to the ocean, is education. Regrettably, most
14 people do not have the opportunity or
15 resources to visit the oceans and because of
16 this might never fully understand the
17 incredible beauty and wonder of the aquatic
18 world and its importance to the global
19 ecosystem.

20 The Georgia Aquarium and other
21 American education and scientific institutions
22 provide amazing opportunities for humans to

1 become more aware to care about the future of
2 belugas and other animal species, to
3 understand their utmost importance to our very
4 existence, and to make the hard decisions in
5 their daily lives that will have definitive
6 positive impacts on the ocean animal world.

7 The Georgia Aquarium is highly
8 focused on learning more about the animals,
9 but the real strength is in its people. Over
10 3,100 employees and volunteers give of
11 themselves out of personal dedication and
12 passionate concern for the aquatic world. The
13 care provided is unsurpassed and, frankly, in
14 my opinion, sets a new bar in the community.

15 Because we are in critical danger
16 of losing our population of belugas in human
17 care in the United States, it is of the utmost
18 importance that this import permit be
19 approved. We are one of the few countries on
20 earth where the latest achievements and
21 improvements in our ability and opportunity to
22 study these animals can be applied.

1 It is not too late. However, any
2 decision other than the approval and granting
3 of this permit will be devastating for beluga
4 whales, not only for the population in human
5 care but also for populations of belugas
6 worldwide. Thank you very much.

7 MR. PAYNE: Thank you. After Ms.
8 Brock, the next four are William Rossiter,
9 Matthew Cronin, David Kimmel, and Barbara
10 Napoles. I hope I pronounced your name
11 correctly. Thank you.

12 MS. BROCK: My name is Martha
13 Brock. Ooh, I'm loud. Sorry. My name is
14 Martha Brock. I live in Atlanta, Georgia.
15 I'm an environmental attorney, and so what I -
16 - my few words that I have to say really have
17 to do with words, but I also want to say I'm
18 here really more because of my passion for
19 marine animals.

20 As the previous gentleman said,
21 people work and volunteer at the Georgia
22 Aquarium because of that passion, and that's

1 why I was there on opening day as a volunteer
2 at the Georgia Aquarium and volunteered there
3 for over a year before the beluga whales and
4 the whale sharks started dying, and then I
5 left.

6 I want to say that the -- I'm
7 going to talk about the regulations. We had
8 some language up there about the Marine Mammal
9 Protection Act. I'm going to talk about the
10 regulatory language.

11 It specifically prohibits the
12 importation of marine animals taken in an
13 inhumane manner. So you've heard it all
14 before, nothing surprising, but humane in the
15 regulation is defined as the method of taking,
16 import, export, or other activity, which
17 involves the least possible degree of pain and
18 suffering practicable to the animal involved.

19 Then, another word I want to talk
20 about is what is take, which rather obviously
21 includes the hunting and the capturing of the
22 marine mammal, but it also includes the

1 restraint or detention of a marine mammal, no
2 matter how temporary and so also no matter how
3 long.

4 What NOAA has to look at, then,
5 and the burden is on NOAA to consider the
6 facts as to these particular animals, not to
7 beluga whales in general, not to practices in
8 general, but it says to the animal involved.

9 So NOAA has the burden to look and
10 make a determination whether those criteria
11 are met, whether it was humane throughout the
12 process, so the whole life cycle, if you will,
13 of what taking is, starting at the hunt, then
14 the capture, then the detention, then the
15 transport, then the next detention, then the
16 next transport, the next detention, and all of
17 those things that get those animals to the
18 Georgia Aquarium. NOAA has the burden of
19 making the determination as to each animal
20 whether it was humane.

21 So, in evaluating that there
22 aren't any hard lines, and I realize that NOAA

1 has a lot of discretion, but I just query
2 whether it's also reasonable in looking at
3 humaneness whether the mortality is relevant,
4 whether a high mortality is relevant to that
5 investigation.

6 One would think that if many
7 whales died in the process somewhere along
8 that line that that would be relevant to
9 whether it was humane, and I will say in the
10 not quite seven years that Georgia Aquarium
11 has been open to the public it has detained --
12 word used in the regulation -- it has detained
13 nine beluga whales.

14 Four or those whales are now dead,
15 and despite what one of the gentlemen said,
16 having no experience of having problems with
17 transport at the Georgia Aquarium, one of
18 those whales, one of those beluga whales died
19 26 days after leaving the Georgia Aquarium and
20 going to SeaWorld of Texas.

21 So, I urge NOAA to consider the
22 whole life cycle and each individual when they

1 look at whether the taking is humane, whether
2 the importing is humane, and deny the Georgia
3 Aquarium's application for these 18 beluga
4 whales.

5 Then I have one other thing, and
6 there's no numbers being waved at me, so I
7 want to deliver to you on behalf of a little
8 group in Atlanta called Free The Atlanta 11 a
9 visual comment.

10 We've got a comment, but about 400
11 people provided their faces so NOAA has some
12 faces behind the comments that will come to
13 you, and there's a couple more books. I'll
14 leave them with you as I leave. Thank you.

15 MR. PAYNE: Thank you very much.
16 Mr. Rossiter?

17 DR. ROSSITER: Thank you, Mike.
18 My name is William Rossiter, and I'm from
19 Redding, Connecticut and President of Cetacean
20 Society International.

21 I never met that young lady
22 before, but we're a great team, because I come

1 here to express my concern about the
2 transportation of the belugas from Utrish to
3 the final destinations based on a 38-year
4 career as a professional pilot.

5 I'm very familiar with European
6 flying, having been stationed at RAF
7 Lakenheath in England and during 33 years at
8 United Airlines captaining Boeing 767s in the
9 hundreds to various destinations in Northern
10 Europe. I have also operated into all the
11 U.S. airports the applicant will use, Chicago
12 well over a thousand times.

13 No one flies without options. The
14 applicant has no options but to wait out
15 delays. Delays will occur. The clock starts
16 when the belugas realize they're being taken
17 out of the pool in Utrish.

18 Thirty hours, as cited by the
19 applicant, is unrealistically optimistic.
20 From my experience, the maximum transit time
21 will be likely close to 40 hours, easily more,
22 resulting in unnecessary risk to the health

1 and welfare of the belugas, a violation of the
2 Marine Animal Protection Act.

3 Because the Aquarium has not
4 provided facts, NMFS must receive and make
5 public by the end of the comment -- before the
6 comment period closes the time from the
7 beginning of the capture until the aircraft
8 are ready to leave Anapa, specifics of the
9 companies and aircraft models, minimum
10 visibility landing capabilities, approximate
11 shipping dates, planned block-to-block times,
12 assumed delays, and numbers of belugas for
13 each segment, and exact arrangements for
14 dealing with belugas rejected by the
15 applicant, including the potential for
16 euthanasia.

17 This information must be available
18 in time for folks like me to make a legitimate
19 comment. By providing this information the
20 applicant will verify that they've given the
21 details some thought. That is not evident in
22 the public documents so far.

1 Instead, the applicant assumes
2 minimal delays with flight operations,
3 weather, maintenance, and safety, none of
4 which are within their control. They demand
5 essential synchrony, impossible perfection in
6 abnormal conditions, which may be why this has
7 never been tried before with cetaceans.

8 Their optimism for an
9 expeditiously successful transfer of 18
10 belugas between containers and aircraft at
11 Liege is simply wrong, perhaps because it's
12 based on the wrong information.

13 While they mention their estimate
14 of moving a beluga only 100 feet between
15 aircraft, anyone using Bing maps or Google
16 Earth will see that Liege's flying farm cargo
17 area has parallel cargo slots spaced for 747-
18 400s.

19 Their shortest distance door-to-
20 door on authorized lanes is more than 300
21 feet. Some belugas may travel over 1,000 feet
22 between aircraft, more if the air craft are

1 not parked together.

2 Will the official veterinary
3 clearance process at Liege's Farm cause
4 delays, and what if there are not enough K-
5 loaders?

6 The exchange is experimental and
7 inhumane. While being assessed and moved from
8 rear-doored Aleutians to the 747s, perhaps
9 delayed by officials, the belugas will be
10 exposed to the airport's loudest noise from
11 aircraft taxiing and landing directly behind
12 them.

13 What about the belugas'
14 expectations? Their being taken by sling from
15 a container means they will go back into their
16 pool, which some have been conditioned to
17 expect since 2006. Instead, they will be
18 placed in new slings and containers and endure
19 multiple flights.

20 How are the belugas transferred
21 from the Utrish slings to the ballistic
22 slings? The applicant vets will need much

1 more time to assess these belugas for the
2 Aquarium's custody.

3 Besides covering much more area,
4 they may be hampered by night operations,
5 intense lights and shadows, thick fog, cold
6 rain, and an always-confusing, dangerous, and
7 noisy environment where normal communication
8 may be impossible. Have these people worked
9 in similar conditions? I have.

10 The applicant must contract well
11 in advance for five aircraft that can operate
12 no matter what the weather, authorities, or
13 operation demand during the transport. They
14 must plan for cumulative delays easily
15 forecast by an experienced professional.

16 The 747s will transit very busy
17 U.S. hub airports, each with significant delay
18 histories. Arrival holds or vectors must be
19 planned for anywhere, but many facilities now
20 reduce congestion and expedite arrivals by
21 delaying inbound departures.

22 Liege, for example, may hold an

1 Aleutian at Anapa for this reason, but there
2 are many other reasons why the three
3 Aleutian's may arrive hours apart, none within
4 the applicant's control.

5 Maintenance is always an issue,
6 here multiplied five times over seven
7 segments. The five aircraft have mechanics
8 and flyaway kits. They expect problems and
9 will fix them. They cannot care how necessary
10 maintenance delays will affect the belugas.

11 No aircraft will operate that does
12 not have working equipment required by
13 regulations and the captain, the final
14 authority, without regard for the delay's
15 effect on the live cargo. Keeping the live
16 cargo alive is the attendant's responsibility.

17 In summary, from 38 years of
18 experience with real flying and delays, I
19 believe the cumulative transit must be
20 forecast for at least 40 hours and is humane.
21 The experimental exchange between aircraft and
22 containers is inhumane. The transport depends

1 upon impossible perfection. The application
2 should be denied.

3 MR. PAYNE: Thank you very much.
4 Dr. Cronin?

5 DR. CRONIN: My name is Matthew
6 Cronin. I'm a Research Professor of animal
7 genetics at the University of Alaska
8 Fairbanks. I also work with Northwest
9 Biotechnology Company. I'm here to report on
10 the genetic studies of the beluga whales in
11 the Southern Sea of Okhotsk.

12 The studies were led by Dr. Olga
13 Shpak and Ilya Meshersky of the Severtsov
14 Institute of Ecology and Evolution in Moscow,
15 Russia. The genetic data from Dr. Meshersky's
16 lab consisted of genotypes of mitochondrial
17 DNA or mtDNA and 19 microsatellite DNA markers
18 for more than 200 belugas.

19 MtDNA is maternally inherited, and
20 microsatellite DNA is inherited from both
21 parents. The primary use of these data is to
22 compare the frequency of the different forms

1 of each gene, called alleles, in different
2 geographic areas and in different years.

3 The amount of inter-breeding and
4 hence movements within and between areas can
5 be estimated with these data. It's important
6 to recognize that such genetic data provide
7 indirect estimates of movements among areas.

8 Actual observation of animal
9 movements, for example, with tagging or
10 telemetry is needed for direct measurements
11 and movements. The beluga whales in the study
12 occurred five summering areas, including the
13 Sakhalin area and four bays in the Shantar
14 region.

15 I'll start with mitochondrial DNA
16 analysis. The eight mitochondrial DNA alleles
17 identified with the study have small sequence
18 diversions, and the most common allele occurs
19 in all five populations.

20 This indicates there are no major
21 genetic differences among the Belugas in the
22 regions. However, mtDNA allele frequencies

1 differed in seven of the nine comparisons of
2 the summering areas.

3 This indicates a high level of
4 fidelity of females to most of the summering
5 areas. It also indicates there is as much or
6 more differentiation of mitochondrial DNA
7 allele frequencies among the bays within
8 Shantar as there is between Shantar and
9 Sakhalin.

10 Essentially, this means each of
11 the four bays in the Shantar region and
12 Chkalova Bay in the Sakhalin region contain a
13 specific group of females in summer. However,
14 the differences between the bays are not
15 absolute and indicate there is some level of
16 movement of females among the bays.

17 This is documented by telemetry
18 data that showed two female belugas occurred
19 in different bays in different summers. This
20 is direct evidence that female fidelity to the
21 individual bays is not absolute.

22 Regarding microsatellite DNA

1 analysis, recall that they are inherited from
2 both parents and give an overall assessment of
3 genetic differentiation of populations. The
4 microsatellite allele frequencies were not
5 different among the beluga summering areas
6 except for the Sakhalin region and one of the
7 bays in the Shantar region. Comparisons among
8 the samples collected in some of the bays in
9 different years indicate there were no
10 significant differences over time.

11 The microsatellite data indicate
12 all the samples belonged to a single
13 population, and there is interbreeding between
14 whales in the different summering areas. The
15 overall genetic pattern indicated by
16 microsatellites for the Sakhalin and Shantar
17 regions is one of genetic homogeneity over
18 space and time.

19 In summary, the data for the
20 microsatellites indicate that beluga whales in
21 the five areas in the Shantar and Sakhalin
22 regions are not genetically differentiated and

1 belong to one genetically homogeneous
2 population.

3 The mitochondrial DNA data shows
4 there is a degree of fidelity of female
5 belugas to the five summering areas, but it is
6 not absolute, and mitochondrial DNA alleles
7 are shared by belugas in the different areas.
8 The genetic data, particularly for
9 microsatellites, suggests there is
10 considerable interbreeding of the animals in
11 all five summering areas over time.

12 The pattern of low genetic
13 differentiation may reflect movement and
14 interbreeding among the different bays,
15 alternatively may indicate that belugas from
16 all five summering bays mix in a common
17 breeding population, and females return to
18 summering areas with a high level of fidelity.
19 Field studies can help determine which of
20 these is correct.

21 The combined microsatellite and
22 mitochondrial DNA data indicate that beluga

1 whales in individual bays in the Shantar and
2 Sakhalin areas are not genetically distinct
3 groups and that beluga whales in Shantar and
4 Sakhalin regions comprise one genetic stock.

5 This means calculation of a PBR
6 can use a number of whales in the entire
7 population and not be limited to local
8 summering groups in individual bays. Thank
9 you.

10 MR. PAYNE: Thank you. David
11 Kimmel?

12 MR. KIMMEL: Good afternoon. My
13 name is David Kimmel, and I am the President
14 and Chief Operating Officer of Georgia
15 Aquarium and its affiliates, Marineland
16 Dolphin Adventure and the Georgia Aquarium
17 Conservation Field Station, both located in
18 St. Augustine, Florida.

19 On behalf of the Georgia Aquarium,
20 I'd like to thank the National Marine
21 Fisheries Service for holding this hearing
22 concerning our application for the importation

1 of beluga whales.

2 Georgia Aquarium is a world class
3 not-for-profit scientific institution. At its
4 founding, Georgia Aquarium's vision was to
5 foster an institution with an unmatched
6 commitment to the ongoing scientific
7 exploration and discovery of the world's
8 oceans and waterways and of the animals which
9 call them home.

10 Since our opening in November of
11 2005, Georgia Aquarium has welcomed nearly 17
12 million guests. These millions of guests are
13 educated not only on the unique animals that
14 comprise our living collection but also on the
15 wonders of the aquatic world and the
16 challenges marine animals face in their
17 natural habitats.

18 Through our animals, exhibits, and
19 interpretive materials, we weave a global
20 water story that compels our guests to care
21 about these animals and in turn to become good
22 stewards of the environment. This is a key

1 part of our mission and one we take very
2 seriously.

3 Georgia Aquarium is a leading
4 facility for aquatic animal conservation and
5 research. We conduct extensive research to
6 improve husbandry methods, contribute to the
7 understanding of the underwater world, and
8 apply new discoveries to the conservation of
9 aquatic life.

10 By combining field research with
11 the study of onsite animals, Georgia Aquarium
12 contributes to the advancement of animal
13 science. This spans multiple species,
14 including beluga whales, whale sharks,
15 manatees, dolphins, coral restoration, and sea
16 turtles, just to name a few. This list goes
17 on and on.

18 Furthermore, we'll soon announce
19 plans for a new Georgia Aquarium Research
20 Institute, which will allow us to greatly
21 expand upon the excellent work we already do
22 in the areas of research, conservation, and

1 education.

2 Most public display facilities
3 focus on particular species. For Georgia
4 Aquarium, one of those species is beluga
5 whales. Georgia Aquarium has established
6 itself as a leader in the zoological community
7 with regard to marine mammals, particularly
8 beluga whales.

9 Our team has even been a resource
10 to this agency, having recently worked with
11 researchers from NOAA and the Alaska
12 Department of Fish and Game on health
13 assessments of beluga whales in Bristol Bay,
14 but, as you'll hear from other speakers today,
15 not all beluga research can be done in the
16 wild. Much of what we still need to know
17 about beluga whales can only be discovered by
18 studying them in our care.

19 Our proposed import is not a
20 referendum on public display. Congress has
21 already decided that issue, and those opposed
22 to public display should go to Congress and

1 not this agency.

2 The Marine Mammal Protection Act
3 allows for the removal from the wild, as well
4 as the importation of marine mammals for
5 public display. Congress has given public
6 display a special status.

7 In congressional deliberations on
8 the Act, Senator Hollings stressed that
9 without observing mammals in aquariums, the
10 magnificent interest we have in marine mammals
11 will be lost, and I quote, "None will ever see
12 them, and none will ever care about them, and
13 they will be extinct."

14 If it were not for these
15 organizations and the public exposure you have
16 on these animals in the first place, these
17 matters wouldn't be brought to the attention
18 of the public.

19 The commitment of Georgia Aquarium
20 to the conservation of beluga whales is the
21 reason we're here today. Law and good science
22 tell us that we have a right to import and

1 display marine mammals. We act now because we
2 firmly believe that it is the right and proper
3 thing to do for beluga whales everywhere, and
4 the time is now.

5 I'm proud to lead a team that has
6 dedicated their lives to the conservation of
7 animals, and this initiative is no exception
8 to that dedication. Georgia Aquarium is
9 steadfast in our commitment to ensure the
10 ongoing survival of animal populations and in
11 doing everything that must be -- that we must
12 do towards that end. Thank you.

13 MR. PAYNE: Thank you. Ms.
14 Napolese? I hope -- is that correct, I hope?

15 MS. NAPOLESE: Hello. My name is
16 Barbara Napolese, and I'm here as a volunteer
17 for the Ric O'Barry Dolphin Project. I come
18 to you to deliver some petitions that are
19 waiting for you outside and on behalf of the
20 7,469 people that took the time out of their
21 lives to sign this petition, our taxpayers.

22 They say that they oppose the

1 import of the 18 beluga whales into the United
2 States or, for that fact, into captivity. The
3 Marine Mammal Protection Act of 1972 was
4 created to prohibit the taking of marine
5 mammals from the wild and to be brought into
6 captivity.

7 As my dear departed and founding
8 member of this Act, Dr. Jesse White, he is
9 probably turning in his grave right now. I
10 implore you to please listen to the many
11 voices opposing this import that have spoken
12 before and will speak after me.

13 We all want to see that the
14 cetaceans are treated with respect and dignity
15 and that the spirit of the document to be
16 followed, not to be amended, as this does not
17 help the marine mammals but the captivity
18 industry.

19 Georgia Aquarium states that this
20 is for conservation and educational purposes.
21 We say that this is for greed and the millions
22 of dollars that will be taken into their

1 coffers. This is really not educational, and
2 it shows dominance above all else.

3 Beluga whales are sentient
4 creatures. They're the canaries of the ocean,
5 which possess their own language with clicks
6 and high-pitch whistles.

7 Georgia Aquarium leads us to
8 believe that what they're doing is a great and
9 rightful thing. They claim that they are
10 listed as a near-threatened species for their
11 need for new genes for the captive stock, and
12 all that they're after is the money.

13 We want the Georgia Aquarium to
14 please show us your research data that you
15 have accumulated over the years, for if you
16 really have learned anything from the beluga
17 is that you cannot create artificial pods.
18 They have self-awareness and suffer and are
19 depressed in these barren concrete pools.

20 Belugas in the wild swim in small
21 family pods and travel long distances, and
22 they will congregate and meet in larger pods

1 to greet and breed and continue their lineage
2 and DNA.

3 Belugas do not do well in
4 captivity. Their life span is very short
5 versus their living in the wild. These
6 organizations want us to believe that they are
7 saving them from the pollution of the ocean,
8 and this will be educational, these
9 organizations said of themselves.

10 It is not for education. If they
11 really wanted to educate the public, they
12 would show how violent their captures from the
13 wild and how artificial insemination produces
14 low birth rates, and the records show that all
15 belugas, dolphins, and whales have the same
16 problem in captivity. There is no respect for
17 these captive beings.

18 Their breeding program is
19 atrocious, with a large number of pregnancies
20 that only fail to produce live births,
21 underage breeding, and barren tanks with not
22 one single member of the original pod to help

1 in the birthing process, as it is done in the
2 wild. Most of the time they use artificial
3 insemination, which causes low birth rates,
4 just as the record shows that all cetaceans
5 have the same problem in captivity.

6 Then we come to the part of their
7 transport. They will be transported in boxes
8 for how many hours did the Captain say? How
9 many long hours waiting for transport in a
10 coffin? Yes, it's a coffin, because this is
11 what Russia is sending these whales to, their
12 own funeral.

13 Transport and handling of the
14 cetaceans using established practices elevates
15 stress hormones and increase mortality risk
16 for several weeks afterwards. The claim by
17 the Georgia Aquarium is that this layover
18 transfer poses no additional risk to the
19 animals is very assumed, and we all know about
20 assuming.

21 Each move between carrier and
22 airplanes is a separate event for the animal's

1 point of view, and the stress is additive. It
2 is simply not acceptable to put animals
3 through this stress. It's inhumane, which
4 violates the Marine Mammal Protection Act.

5 Can anyone assure us that these
6 whales are not going to succumb during this
7 long transport, and are their lives so
8 expendable? Are they going to be tranquilized
9 and put on antidepressants for their trip, and
10 is this the way that the aquariums keep their
11 whales? Yes, under antidepressants, antacids,
12 and dead fish.

13 These sentient creatures should
14 not be imported and should be released to the
15 wild after being rehabilitated, not resold to
16 any other aquarium. We ask you to please not
17 allow the import of these belugas. Captivity
18 is not education. Thank you.

19 MR. PAYNE: Thank you. The next
20 four speakers, Mila de Mier, William Hurley,
21 Samantha Berg, and Dr. Grey Stafford. Go
22 ahead.

1 MS. DE MIER: Thank you. Good
2 afternoon. My name is Mila de Mier. I came
3 today from Key West, Florida. I am not an
4 expert. I am a citizen, a taxpayer, a mother
5 of three.

6 I am here today because I truly
7 believe that my speak could make a difference,
8 because if there is something that I learned
9 in the last 15 years living in this great
10 nation it's that it is a due process, that no
11 matter how weak or small you are, a government
12 agency like NOAA, it could listen, and it
13 could make a whole lot of difference, and it
14 will act accordingly.

15 There is a difference between
16 right and wrong. I am the people. Please do
17 never underestimate the power of one
18 individual or one person. I am here also
19 because the Marine Mammal Protection Act would
20 prevent this approval of the application.

21 If the permit get approval, are
22 National Marine Fisheries willing to take

1 responsibility in case of something go wrong
2 during the dangers of the transportation? How
3 could you measure success or failure?

4 It's a lot of questions and
5 concerns that still has not been disclosed in
6 this permit application. Moving
7 transportation is only one of them.

8 Marine aquarium and partner claim
9 that it can make an important contribution to
10 marine conservation and public education. My
11 question is, if we really want to make a
12 difference and help, they're more than
13 qualified. Nobody else is more qualified to
14 help normally 18 beluga whales, but 41 are
15 there right now in Marineland.

16 National Marine Fisheries mission
17 statement have primary responsibility for the
18 conservation and management and development of
19 living resources and the protection of certain
20 species of marine animals, mammals, are
21 endangered species and numerous federal laws
22 that these responsibilities are part of the

1 National Marine Fisheries mission to achieve
2 a continuation, the optimum utilization of
3 living marine resources for the benefit of
4 this nation.

5 My question is what kind of nation
6 we are if we have a protection act and we
7 allow a loophole, because this application is
8 a loophole, and if we allow to import, are we
9 cheating to ourselves? Are we cheating to our
10 general public? Are we cheating to the
11 animals that we're supposed to protect?

12 To begin with, it's nothing human
13 about this, and, please, do not forget who you
14 represented. Thank you for the opportunity,
15 and, please, we must learn. We learn nothing
16 if we cannot learn from our previous mistake.
17 Thank you.

18 MR. PAYNE: Thank you, Ms. de
19 Mier. Thank you. William Hurley.

20 MR. HURLEY: Good afternoon.
21 Thank you for this opportunity to address the
22 National Marine Fisheries Service. I'm

1 William Hurley. I am the Chief Zoological
2 Officer at the Georgia Aquarium.

3 I just want to point out that we
4 recognize that there are individuals in this
5 room that do not support the Georgia
6 Aquarium's mission. However, 90 percent of
7 America does.

8 Ninety percent of America believes
9 that we do a tremendous job. We have a very
10 important job to do, and because of that I'm
11 asking that the National Marine Fisheries
12 Service utilizes the Marine Animal Protection
13 Act to make the decision on this application.
14 Thank you.

15 MR. PAYNE: Thank you. Ms.
16 Samantha Berg?

17 MS. BERG: Hi, there. My name is
18 Samantha Berg, and I'm a former animal
19 trainer. I used to be an animal trainer at
20 SeaWorld of Florida from 1990 to 1993. I
21 worked with beluga whales for a year and a
22 half, and I worked with other marine mammals

1 for another two years at SeaWorld.

2 I have a B.S. in animal science
3 from Cornell University, and now I have a
4 master's degree in acupuncture, and I'm here
5 today to speak specifically about these
6 individual whales.

7 Most of what people have spoken to
8 today is about the issues around education.
9 Dr. Marino has spoken about how -- are these
10 whales actually going to be used for -- am I
11 speaking too close to the microphone? Are
12 these whales going to be used for educational
13 purposes?

14 We've also heard about the
15 statistics about whether or not these captures
16 and the import is going to be humane, but I
17 just want to tell you a little bit about
18 knowing these animals -- am I coming through
19 clear on the microphone? Okay -- knowing
20 these animals and working with them on an
21 individual basis day after day after day.

22 I've swam with these animals at

1 SeaWorld of Florida, supposedly the state-of-
2 the-art facility in the world for marine
3 mammals, and all these animals had when the
4 trainers were not interacting with them in the
5 pool in the evenings were these blue pools to
6 swim around in circles.

7 When we left at the end of the day
8 at 7:00 at night until 9:00 the next morning,
9 all these animals would do is swim in slow
10 circles over and over again, repetitive
11 behaviors that anyone knows is an indication
12 of stress for these animals in the wild.

13 I worked with four particular
14 beluga whales. Their names were Shadow,
15 Spooky, AJ, and Bandit. All four of those
16 whales are dead now. One of the animals had
17 a calf that lived for about four years.
18 Another one of the animals had a calf that
19 lived for -- I think she was a stillborn, so
20 didn't even make it.

21 What I saw at SeaWorld -- I've
22 heard a lot about the veterinary care. What

1 I actually saw at SeaWorld was something that
2 was more like frontier medicine. Most of the
3 vets were often perplexed at what was going on
4 with the animals.

5 What they're calling preventative
6 care is actually putting these animals on
7 antibiotics, on antacids, on antifungals.
8 They're pumping them up with all this
9 medication. They're giving them synthetic
10 vitamins to try to keep them alive.

11 In terms of the research that I
12 saw at SeaWorld, it seemed like most of the
13 research other than one study that I actually
14 observed on the hydrodynamics of whales, how
15 they swim, all the studies were basically
16 focused on how do we get these animals to
17 reproduce, and how do we keep these animals
18 alive so that they don't die in captivity.

19 So, in conclusion, I'd just like
20 to say that despite the fact that I had the
21 experience that supposedly all these people in
22 the world would like to have, actually being

1 able to swim in captivity with these animals,
2 I would say right now in a heartbeat, I would
3 trade that experience to keep these animals
4 from being brought into the U.S. Thank you
5 very much.

6 MR. PAYNE: Thank you. Dr. Grey
7 Stafford.

8 DR. STAFFORD: Good afternoon.
9 I'm Dr. Grey Stafford, and I've spent my adult
10 life caring for, studying, and managing and
11 training hundreds of species living in
12 academic and public display facilities for the
13 purpose of public education and research.

14 In addition to writing my own book
15 on positive reinforcement-based animal
16 training in zoological settings, I currently
17 serve on the editorial boards for Soundings
18 and the peer-review journal Aquatic Mammals.

19 As a marine mammal trainer, later
20 as part of my doctoral research in physiology,
21 and now as Director of Conservation at
22 Wildlife World Zoo and Aquarium, I did so with

1 one goal in mind, to unite the biological
2 sciences with advancements in applied
3 behavioral science to maximize our collective
4 ability to provide the best welfare for
5 animals and to share all that can be learned
6 about them with the public, yet public
7 education is only one benefit to having marine
8 mammals and other species in our care.

9 A second, critically important
10 benefit is the ability to learn from these
11 animals in ways that can help wild
12 populations. It is well documented in peer-
13 reviewed literature that much of what we
14 understand of marine mammals is due to the
15 support of public display facilities and their
16 dedicated research, veterinary training, and
17 animal training professionals.

18 The reason is simple. Behavioral
19 management using positive reinforcement-based
20 methods creates a success-oriented environment
21 of trust between animals and care givers. It
22 provides a safer, cooperative, and productive

1 means to acquire vital physiological and
2 behavioral data to save species. These data
3 simply cannot be gathered from animals in the
4 wild.

5 Why is this true? Because for
6 many physiological parameters, the mere act of
7 collecting information interferes with or
8 dramatically skews the very natural processes
9 one is attempting to measure. Consider for a
10 moment your own internal reaction the last
11 time the doctor pulled out a large hypodermic
12 needle during an office visit.

13 The point is the operating
14 conditioning and the resulting trust that
15 results between marine mammals and their
16 trainers allows scientists to learn what
17 constitutes normal baseline physiological
18 function in cetaceans, pinnipeds, and other
19 living creatures. These data, such as serum
20 endocrine values in relaxed, conscious,
21 healthy individuals at all stages of
22 development cannot be gathered from animals in

1 the wild.

2 Furthermore, given the large
3 variability typically observed in biological
4 measurements within and across individuals and
5 species, the capacity to gather data
6 sequentially from the same animal serving as
7 its own control is just another example of the
8 invaluable information that animals living in
9 human care can provide.

10 One final example, consider that
11 every living thing must address its own energy
12 crisis. Take in too much energy, and we get
13 fat. Take in too little, and we fail to
14 thrive.

15 Whether a species can survive is
16 ultimately a question of energy use. How do
17 animals acquire enough for growth and
18 maintenance, much less for reproduction?

19 These questions are of particular
20 importance to species living on the edge of
21 survival such as cetaceans native to polar
22 regions and cold water, which robs them of

1 energy at a rate 25 times greater than air.

2 Animal training based on the use
3 of positive reinforcement helps us teach
4 animals to participate in their own care
5 through the voluntary display of husbandry
6 behaviors such as those needed to accurately
7 assess resting metabolic rates. That is to
8 say, energy needs in animals unaffected by
9 their proximity to humans or the scientific
10 methods by which the data are collected.

11 Given the changes now affecting
12 arctic regions, a better understanding of
13 beluga energetics represents some of the
14 behavioral and physiological insights
15 necessary for conservation of the wild
16 population, information that is increasingly
17 important to policy-makers and scientists
18 making decisions in areas such as balancing
19 the needs of ecosystem management and setting
20 sustainable fishing levels to ensure adequate
21 food supplies.

22 In closing, who in this room was

1 not moved by news video last month of a baby
2 dolphin being born under the watchful care of
3 its mother and the training team supporting
4 them?

5 How powerful the relationship
6 between that mother experiencing the natural
7 discomfort of delivery for the very first time
8 to seek out the attention and physical contact
9 of her trainers in between contractions. What
10 an amazing level of trust between that animal
11 and care givers to voluntarily present her
12 underside with calf flukes emerging for an
13 ultrasound examination.

14 That, ladies and gentlemen, is the
15 promise of positive reinforcement-based
16 training today, demonstrable proof that
17 training programs in zoos and aquariums like
18 Georgia Aquarium are increasingly teaching
19 wild and endangered animals how to voluntarily
20 participate in their own well-being and just
21 perhaps their species' survival in an
22 anthropocene age. Thank you.

1 MR. PAYNE: Thank you. The next
2 four speakers, Natalie Prosin, Sandy
3 McElhaney, Mr. Ric O'Barry, and Sandi
4 Sullivan. Ms. Prosin?

5 MS. PROSIN: My name is Natalie
6 Prosin. I'm a graduate of Boston College Law
7 School, and I hold a master's degree in public
8 policy from Brown University with an emphasis
9 on environmental policy. I have taught
10 environmental law and policy at Boston
11 College.

12 I am the Executive Director of the
13 Non-Human Rights Project, a nonprofit
14 comprised of over 50 lawyers, law professors,
15 law students, scientists, statisticians,
16 mathematicians, political scientists,
17 sociologists, and film makers.

18 The Non-Human Rights Project is an
19 organization working toward achieving common
20 law personhood for such cognitively complex
21 non-human animals as cetaceans. Our first
22 cases are being prepared for filing in 2013.

1 We voice our strong opposition to
2 the importation of these beluga whales.
3 Extraordinarily cognitively complex and
4 autonomous beings of any species do not belong
5 in captivity.

6 The Georgia Aquarium's attempt to
7 import these whales disregards contemporary
8 standards of morality, scientific discovery,
9 and human experience that entitle these
10 animals to the fundamental right to freedom
11 that make this attempt immoral today.

12 Beginning next year, the Non-Human Rights
13 Project will began demanding that it be
14 illegal, as well, under the common law.

15 Animal rights law is moving ahead
16 leaps and bounds, buttressed by enlightened
17 public opinion. It represents the future for
18 non-human animals in which they are recognized
19 as legal persons and not things that can be
20 violently kidnapped from their homes, ripped
21 from their families, and enslaved for the
22 price of a ticket.

1 This move by the Georgia Aquarium
2 represents the outdated attitude that non-
3 human animals are mere things that can be
4 exploited for profit and is entirely out of
5 step with public opinion, moral sensibilities,
6 and scientific knowledge. The Non-Human
7 Rights Project strongly opposes this permit
8 application. Thank you.

9 MR. PAYNE: Thank you. Ms.
10 McElhaney?

11 MS. MCELHANEY: My name is Sandy
12 McElhaney. I hold a master's in counseling
13 from the University of Maryland. For over a
14 decade, I served as Director of Prevention for
15 the National Mental Health Association. In
16 this capacity, I helped communities across the
17 U.S. adopt researched and validated programs
18 for the prevention of mental disorders.

19 I advised federal agencies and
20 congressional staff, served on the Planning
21 Consortium for Healthy People 2010, the
22 nation's health promotion and disease

1 prescription objectives, and also as a member
2 of President Clinton's White House Conference
3 on School Safety. I have authored numerous
4 publications in my field.

5 In January 2008, my world was
6 rocked with the diagnosis of breast cancer.
7 There was a kiwi-sized tumor in my left
8 breast. What followed was a hellish year,
9 five surgeries, eight rounds of chemo, 28 days
10 of radiation.

11 During treatment, I was stripped
12 of most of my choices and much of my dignity.
13 I can't tell you how many times medical
14 personnel had their hands on what was left of
15 my breasts or how many times they attempted to
16 draw blood from veins that had been nearly
17 pumped dry.

18 The worst was the crowded chemo
19 suite, where I would sit, hollow-eyed and
20 bald, alongside the other cancer patients
21 tethered to IVs for hours on end. That room
22 was the definition of despair.

1 How on earth did I end up there?
2 All I wanted was my life back. I lived in
3 constant fear that I wouldn't see my sons grow
4 up. I wondered if there would ever be a time
5 that I would feel normal, much less joyous,
6 again.

7 After a grueling year, I was
8 pronounced cancer-free. Now it was time to
9 walk shakily away from the nightmare. Our
10 family planned a Caribbean vacation. Along
11 with much-needed beach time, a friend
12 recommended a place called Dolphin Cay.

13 We were going to swim with
14 dolphins. It was expensive, \$130 per person
15 for 30 minutes. We donned wetsuits and waded
16 into the shallow water.

17 Our dolphin was a calf named
18 Bimini. Bimini's job was to slap her tail and
19 pose for pictures. She wanted nothing to do
20 with it. She just wanted to do what kids do.
21 She wanted to play.

22 After a while, the trainer sent

1 her off. In her place came Cherie. One by
2 one, we lined up to kiss her. My turn finally
3 came. I was eye-to-eye with her, and then I
4 saw the look, the same look that I had seen so
5 many times in 2008 at the oncologist's office,
6 in the chemo suite, and in the mirror, the
7 look of complete despair, of hopelessness, of
8 a soul trying to find a life she once had.

9 I came home and absorbed
10 everything I could about marine mammals in
11 captivity. I watched The Cove, A Fall From
12 Freedom, and the 2010 congressional hearings.

13 I have followed the dolphin drive
14 hunts in Taiji since September 2010. As
15 administrator for the social media campaign
16 Save Misty the Dolphin, I have viewed every
17 available piece of footage on dolphins and
18 whales taken into captivity.

19 I can tell you with great
20 certainty that none go willingly. There is
21 nothing humane about the process of being
22 netted and hoisted from the sea, from one's

1 home, from one's family, from one's life.

2 There is no humanity in this process, and
3 there is certainly no dignity afforded to
4 those souls who will spend the rest of their
5 lives in captivity.

6 Section 102 of the MMPA states,
7 "It is unlawful to import into the U.S. any
8 marine mammal if such mammal was taken in a
9 manner deemed inhumane by the Secretary.

10 Humane in this context refers to the method of
11 taking import, export, or other activity which
12 involves the least possible degree of pain and
13 suffering practicable to the animal involved."

14 I am here to say emphatically that
15 the capture, proposed transport, and breeding
16 of these belugas is the very definition of
17 inhumane. Wild dolphins and belugas belong in
18 the wild.

19 The 18 belugas at the center of
20 this hearing are neither cargo nor commerce
21 nor the brood bitches that Georgia Aquarium
22 would have them be. I urge the Secretary to

1 reject the permit application and to assure
2 that these animals are restored their dignity,
3 joy, and freedom in the wild. Thank you.

4 MR. PAYNE: Thank you. Mr. Ric
5 O'Barry.

6 MR. O'BARRY: Well, thank you for
7 the opportunity to speak here today. I'm
8 Richard O'Barry, Director of the Dolphin
9 Project, part of Earth Island Institute based
10 in Berkeley, California.

11 I've had extensive experience in
12 capturing and training dolphins for captivity,
13 but before I go into this, I just want to make
14 sure I got this right. The Georgia Aquarium
15 has captured 18 beluga whales. They've got
16 them in a holding pen. They want to put them
17 in a truck, fly them over the ocean, and put
18 them in their building in Georgia so they can
19 teach the American public respect for nature.

20 Is that right? What's what we're
21 doing? Well, Earth Island and I strongly
22 oppose the issuance of the import permits to

1 the Georgia Aquarium for the 18 victim beluga
2 whales.

3 Russia is becoming a bigger and
4 bigger exporter of wild cetaceans as countries
5 around the world shut down the blood dolphins
6 trade. These belugas were chased by boats and
7 netted, ripped from their freedom and their
8 families, the two most important things in
9 their life.

10 The Georgia Aquarium claims the
11 imports are for, quote, public display to
12 enhance the North American Beluga Breeding
13 Cooperative by increasing the population base
14 of captive belugas to a self-sustaining level
15 and to promote conservation and education, end
16 quote. But there is no good reason to breed
17 belugas in captivity except to put more on
18 display, and the education and conservation
19 benefits of these displays and these and other
20 dolphins in the public are non-existent.

21 This constitutes a betrayal of the
22 public trust by the aquariums seeking income

1 from rare species to populate their small
2 tanks. They are selling tickets, nothing
3 more.

4 The National Marine Fisheries
5 Service would be derelict in their duties to
6 the public trust and to the Marine Mammal
7 Protection Act if this permit were to be
8 granted. Earth Island and I oppose the
9 permit, because capturing wild belugas is
10 inhumane.

11 One of the important purposes of
12 the permit process is to allow review and
13 comment by the public and National Marine
14 Fisheries Service of the capture methods, as
15 well as the import procedures, but the Georgia
16 Aquarium has already captured the belugas in
17 Russia in 2006, 2010, 2011, precluding any
18 review of the capture process.

19 This is an attempt to simply
20 ignore how these belugas were captured. We
21 only have the word of the Georgia Aquarium
22 that the captures were done humanely.

1 The claim by the Georgia Aquarium
2 in their application is that the Russians
3 crept up on the wild belugas in shallow water
4 with motor boats and netted them. Motor
5 boats. Nets. These are not humane ways to
6 catch wild belugas. These animals were
7 traumatized, but the evidence is conveniently
8 gone.

9 Captivity is a death sentence.
10 The application by the Georgia Aquarium claims
11 that belugas live as long in captivity as in
12 the wild and that high mortalities of belugas
13 in captivity, quote, largely ceased by 1995,
14 but two of the nine captive belugas held
15 there, according to the NMFS records, died in
16 captivity at the Georgia Aquarium in 2007.

17 In fact, 34 belugas that have died
18 in captivity in the six aquariums, 25 have
19 died since 1995, not counting the two that
20 died in 1995. In total, of 71 belugas that
21 have been held in these six aquariums and
22 often transferred between them, now asking for

1 this import permit, 34 have died in captivity,
2 almost 48 percent of them.

3 The 18 new belugas, if they're
4 imported, will face a stressful, terrible live
5 in captivity, and then many of them will die
6 at a young age. There is no need to keep
7 belugas in captivity for education and
8 conservation.

9 Just look at Japan. They have 51
10 dolphinariums around that country, yet Japan -
11 - Japanese dolphin hunters, encouraged and
12 subsidized by the captive dolphin industry,
13 also kill more dolphins than any country on
14 earth.

15 What kind of education and
16 conservation is that, exactly? My seven-year-
17 old daughter has never seen a dinosaur, but
18 she doesn't have to see one in order to know
19 about the dinosaurs and to love dinosaurs.

20 I'm sorry, is my time up? I'm
21 very sorry. We urge you to deny this permit.

22 MR. PAYNE: Thank you. Thank you

1 very much. The next speaker is Sandi
2 Sullivan. After Ms. Sullivan, Elaine Trovato
3 and Charles Tudor.

4 MS. SULLIVAN: My name is Sandi
5 Sullivan. I'm here as a concerned parent, a
6 citizen, taxpayer. I'm an advocate and a
7 voice for marine life. Thank you for giving
8 us the opportunity to be heard today.

9 I've been entrenched in marine
10 conservation since the late seventies. I was
11 moved into activism after witnessing
12 irreversible damage and devastating loss of
13 marine life at the BP Horizon spill in the
14 Gulf of Mexico. This provoked me to do more
15 for marine conservation.

16 I use my own vacation time every
17 year traveling the globe for one marine
18 conservation issue or another. I've recently
19 traveled to the Faroe Islands on campaign to
20 address the complexities of the cultural
21 inhumane acts against the pilot whale, meeting
22 with locals and the youth there, as well as

1 addressing the risks and medical issues
2 surrounding the consumption of pilot whale
3 meat.

4 For the last year, my genuine
5 focus has been on issues surrounding global
6 and local shark conservation. I am deeply
7 concerned for the welfare of the captive
8 belugas that are awaiting their fate in
9 Russia.

10 After doing much research, I view
11 the display of cetaceans as inhumane and
12 clearly not educational. It sends our
13 children mixed messages of lies and propaganda
14 in which they can instinctively make these
15 connections of captivity as being abnormal
16 versus educational.

17 What about compassion and trust?
18 Is obtaining these wild belugas teaching the
19 youth either compassion or trust? How can you
20 teach compassion with seeing belugas in tanks?
21 Education to cetaceans can be fostered by your
22 facilities without having more belugas on

1 display.

2 As Ric O'Barry has recently
3 stated, the education and conservation
4 benefits of displays of these and other
5 dolphins in public are non-existent. This is
6 a rip-off of the public trust by aquariums
7 seeking income from rare species to populate
8 their small tanks.

9 I have over 20 years of working
10 with children in pediatrics. Here is an
11 example how children, who are wise and
12 innocent beyond their years, can make the
13 connection and connect the dots here.

14 After hearing why I was traveling
15 to D.C., my oldest said to me, "why don't they
16 focus their own work to improve the
17 conservation laws and reinforce them?" She
18 said, "Mom, it seems to be like they're
19 violating the Marine Mammal Act."

20 Then she asks, "who holds these
21 aquariums accountable?" Even through her
22 eyes, she can make the connection and see the

1 mixed messages.

2 What will the next generations
3 learn from us: exploit all you want for
4 personal gain and economic gain? It's okay to
5 treat living creatures as disposal objects if
6 it's disguised as education, or is the lesson
7 we want to teach our children on these wild
8 animals to revere, to cherish, to protect them
9 and their ecosystems?

10 Our society will be judged by this
11 decision. Instead of choosing the permit for
12 the belugas for exploitation and profit, what
13 about choosing to set an example for the rest
14 of the globe, for your grandchildren, for the
15 matrilineal line of the beluga? They
16 certainly deserve better.

17 Given all the facts, science,
18 mistruths we've witnessed here, including the
19 unsuccessful captive breeding program, the
20 multiple stressful transfers they will endure,
21 and including possible premature death, having
22 belugas in aquariums is clearly proven not

1 educational, nor is it practicing
2 conservation.

3 Please remember that these are
4 large, intelligent mammals that have very
5 complex cultural and social structures, which
6 are clearly not replicated in an aquarium or
7 holding tank, for that matter, as with any
8 other cetacean.

9 Will we be trusted to protect as a
10 country, or will we be known to participate in
11 exploiting and endangering these belugas? I
12 vehemently oppose this application by the
13 Georgia Aquarium, and it should not be granted
14 under any circumstances.

15 I urge you to act with careful
16 consideration and compassion in this regard.
17 Thank you. I will never buy a ticket.

18 MR. PAYNE: Ms. Trovato?

19 MS. TROVATO: I am Elaine Trovato,
20 and I didn't plan on speaking today, but thank
21 you for the opportunity. I also want to
22 reassure the CEO at the Aquarium that I do

1 contact Congress on a regular basis, and
2 although I'm not bold and I might be shy, I'm
3 going to continue to do that, so please don't
4 dismiss me when it's my chance to speak.

5 Twenty years ago is the last time
6 I was in an aquarium. I had the pleasure of
7 going to the Baltimore Aquarium and the
8 displeasure of connecting with one of the
9 belugas there, who died two months later.

10 When I say connecting, I'm talking
11 about that same look that one of the other
12 speakers discussed of despair and get-me-out-
13 of-here. I never forgot it, and I never will.

14 I prefer to go scuba diving, and I
15 prefer to whale watch at Monterey or in Maine.
16 I realize not everybody can do that, but
17 again, not everybody can see a dinosaur,
18 either.

19 These animals are intelligent.
20 It's our job to stop polluting their
21 environment and stop killing them, stop
22 capturing them against their will, stop

1 imprisoning them and using them as sideshow
2 acts.

3 I don't understand how any adult
4 who has a family and some measure of
5 intelligence can in any way defend
6 exploitation of animals, especially those that
7 are comparable to humans in intelligence.

8 I don't understand how anyone can
9 enjoy any place that holds a species against
10 their will, and if you look at them, you can
11 see their misery. You really look at them.
12 You see it. Everybody can see it.

13 There is no way to justify it.
14 All the scientists here, who I respect, who
15 say we need to do this to protect them is
16 ridiculous. Yes, their numbers are
17 threatened, but the answer is not torturing
18 the ones that remain.

19 Many measures need to be taken to
20 correct this problem, and none of them should
21 include kidnapping, terrorizing, or ruining
22 the lives of those captivatingly beautiful

1 creatures.

2 I believe humans are the only ones
3 who can do something about this and make a
4 positive change for threatened marine life,
5 but that's because we're their biggest threat.
6 To all the teachers, who I also respect, open
7 your minds to different ways of teaching
8 without impinging on wildlife.

9 I'm opposed to whales and dolphins
10 in captivity and will not rest until
11 organizations like BlueVoice can get the
12 message through that these mammals have
13 thoughts and feelings and experience grief
14 when they're taken away from their homes and
15 separated from their families.

16 I'm completely in agreement with
17 Dr. Rose and have a deeper appreciation for
18 her and all who see things for what they are.
19 Please deny this application.

20 MR. PAYNE: Thank you. Mr. Tudor?

21 MR. TUDOR: I am going to turn the
22 microphone this way. I'm going to turn the

1 microphone that way, too, because we've been
2 speaking to the Secretary here and NOAA, and
3 I'm going to wrap up this session by saying a
4 month ago I had no idea what was going on with
5 animals, whales, dolphins or whatever, but
6 somebody got me involved in this.

7 So today right now you're looking
8 at somebody who a month ago had no idea about
9 this, but you know what? I found out about
10 this on the internet, and there is a whole
11 network of people out there who are becoming
12 active, who are becoming informed.

13 We're not as educated as many of
14 you here: doctors, Admirals, professors,
15 teachers. You all have a reason why, and it's
16 a very good reason on your own personal part
17 as to why you want to study mammals. It's
18 inhumane, plain and simple.

19 When my kids were children, what
20 did I do? I said, "Let's take them to the
21 marine park. They're really going to enjoy
22 that," and speaking of marine parks, how come

1 nobody has ever said the word SeaWorld?

2 All these mammals are not going
3 just to the Atlanta museum, but it's the
4 Atlanta museum that's been telling us, "Well,
5 we're going to do this, and we're going to do
6 that." We haven't heard a word about what
7 SeaWorld is going to do with these mammals.
8 Huh? Where are they?

9 NOAA, do you know what they're
10 going to be doing with these things? Do you
11 know all of their plans as much as the Atlanta
12 museum has said what they're going to do?

13 I mean, in all due respect, yes,
14 we've done studies on both sides as to what's
15 right and what's wrong, but I'll tell you, you
16 folks that want to collect and keep these
17 animals, you have a problem.

18 NOAA, you have a problem, and it's
19 called Taiji, Japan, because every time we
20 import or encourage the importation of
21 mammals, it encourages other people to go and
22 seek a profit and to carry on the atrocity

1 that is taking place today and will take place
2 for the next few months in Taiji, Japan.

3 I'll tell you, there is a
4 groundswell of people out there right now who
5 will be speaking up just as much as this last
6 lady that spoke before me. We'll be speaking
7 to the government. We will be speaking to the
8 individuals at these associations that want to
9 capture and exhibit animals. You will be
10 hearing the voice. It has just begun. Thank
11 you very much.

12 MR. PAYNE: Thank you. Before I
13 make a few final comments, I just want to make
14 sure that was the last speaker that had placed
15 his name on the sheet. If there's nobody else
16 that is interested in saying something at this
17 time, I would like very much to thank
18 everybody for coming.

19 It's a very divided issue, a very
20 difficult issue for the National Marine
21 Fisheries Service. However, I do want you to
22 know that we are taking it unbelievably

1 seriously, much more so than many other things
2 that I've been involved with in the last 22
3 years at the agency.

4 Half my staff is in this room.
5 Normally, on a good year we get about 130 to
6 150 applications to either issue scientific
7 research permits, issue permits for import,
8 issue permits for doing science on animals in
9 captivity. This particular application has
10 overwhelmed us in the last two or three months
11 such that two of those staff are full-time
12 pretty much on this.

13 I would like to recognize a few
14 people. Kristy Beard is walking around in a
15 blue thing up there on the stage and Laura
16 Gutierrez.

17 Kristy is the individual who has
18 actually looked at every individual comment
19 that we have received with Laura, I believe,
20 posted it to a website, and made sure that its
21 content was suitable for a federal website.
22 Not all comments that we have received have

1 been suitable for any website, for that
2 matter, but certainly not a federal website.

3 We will continue to do that for
4 the remainder of the comment period.
5 Everybody is welcome to look at that website,
6 and you can follow along with us. Those
7 comments and the comments that we have
8 received today will be looked at in great
9 detail.

10 I do appreciate the passion that
11 people have had in their comments today. It's
12 a sight that invokes passion. It's a --
13 excuse me, not a sight. It's a subject that
14 invokes passion. There's no other way to
15 describe it.

16 However, we will do the best we
17 can. We will probably have more discussions
18 on this, maybe with some of you in this room,
19 during the comment period, but a lot of you
20 have traveled quite a ways to come here today.

21 I do appreciate all the comments,
22 all the views, all the personal experiences.

1 They are very real, and they're very useful to
2 this process. Believe me, they are.

3 So, with that, I will conclude the
4 formal on-record component of this. We'll go
5 offsite. For those of you who are still
6 working for me for another half an hour or so,
7 we have this room until about 5:00.

8 People are welcome to stay and
9 discuss things as you wish. However, by 5:00
10 we will be ushering you out, and I do thank
11 you very much. I do appreciate everything,
12 and wherever you have come from, have safe
13 travels home. Thank you very much.

14 (Whereupon, the above-entitled
15 matter went off the record at 4:26 p.m.)
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In the matter of: Import of 18 Beluga Whales

Before: DOC/NOAA

Date: 10-12-12

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