Open Letter

March 1, 2009

To: Minister Gail Shea, Minister of Fisheries and Oceans, Shea.G@parl.gc.ca

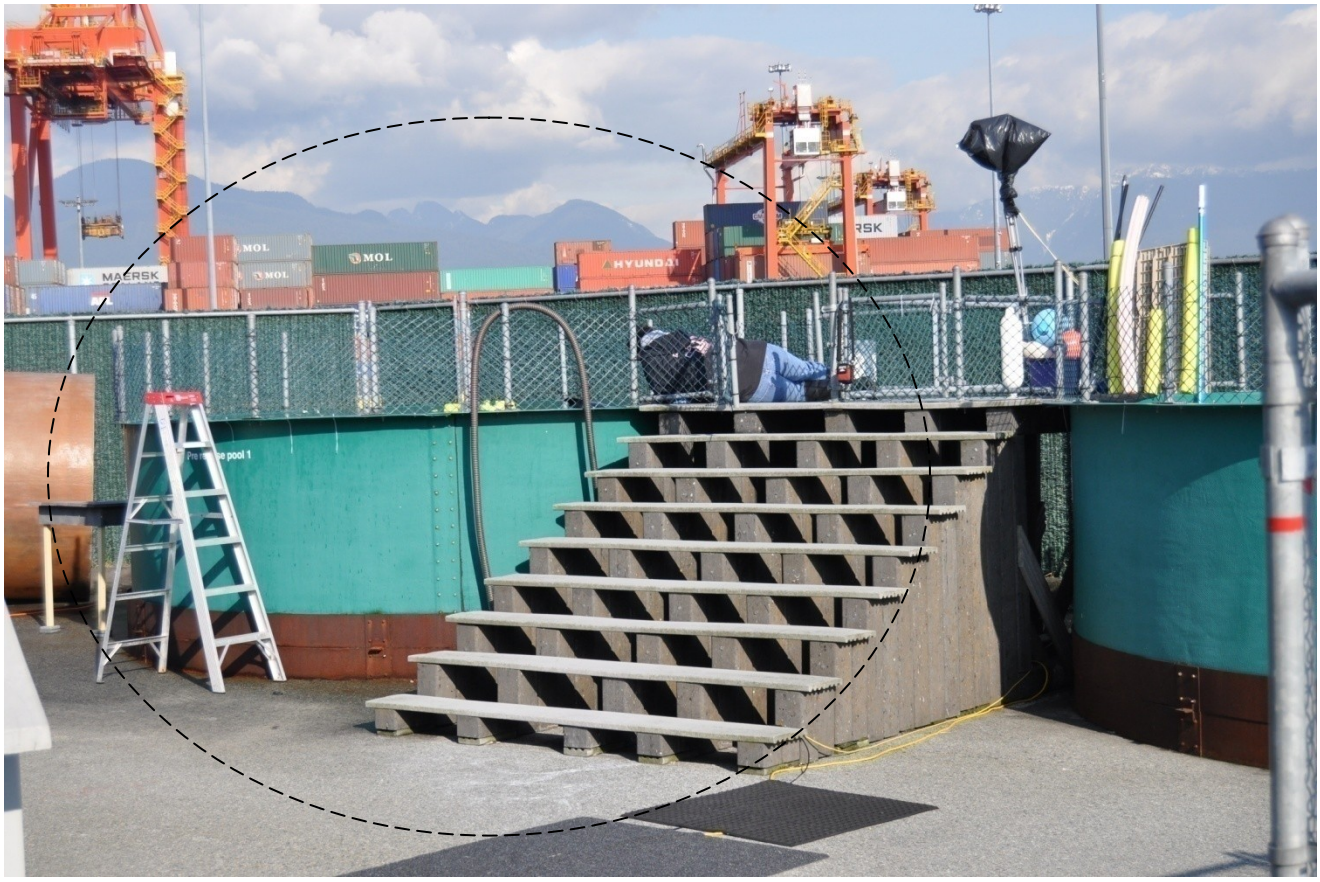
From: Peter Hamilton, lifeforcsociety@hotmail.com

Re: Harbour Porpoise Needs Freedom Not Captivity

I would like to present the case for the rehabilitation and release of the Harbour porpoise presently held by the Vancouver Aquarium.

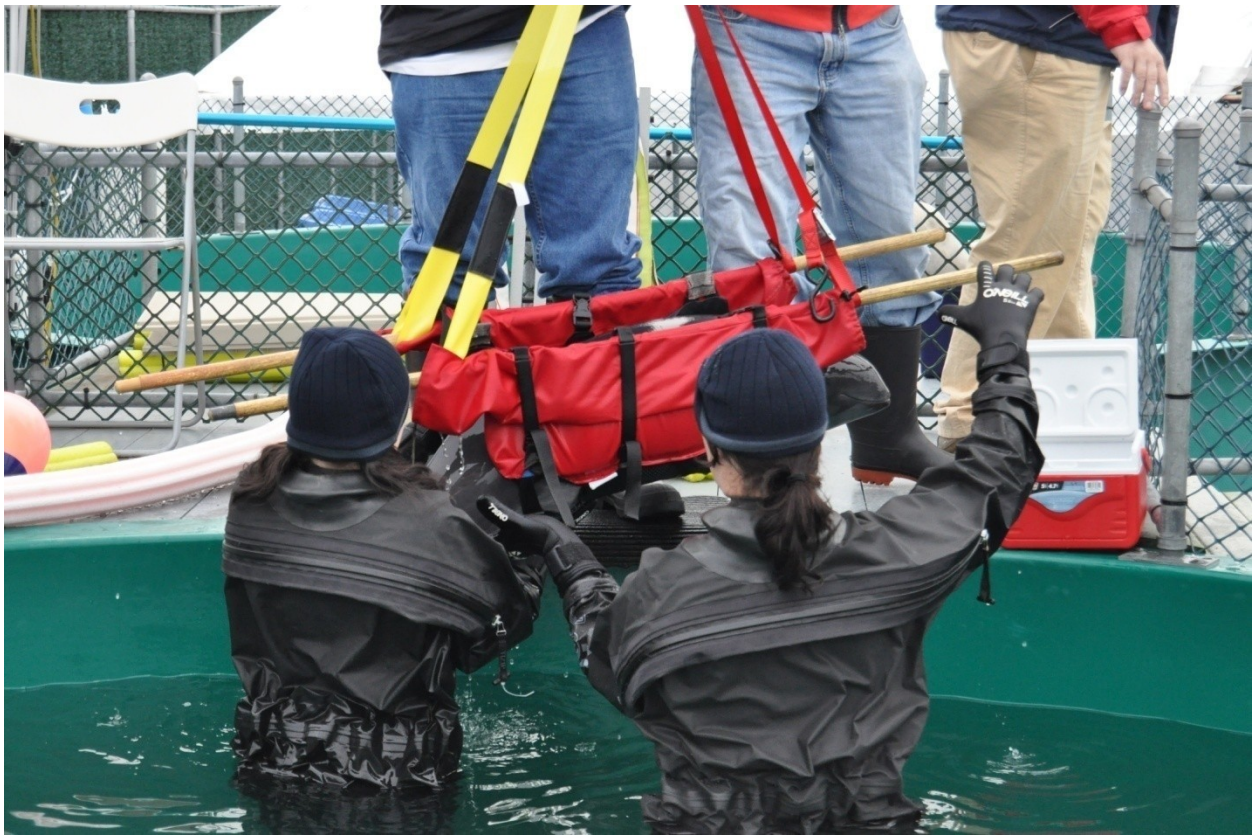
The ethical argument alone supports release. This harbour porpoises belongs with others of her kind. She is presently isolated and in a very small, shallow pool (only approx. 4 feet of water). The porpoise is not afforded adequate exercise for proper development.

The Harbour porpoise has been in "rehab" for approximately 6 months.

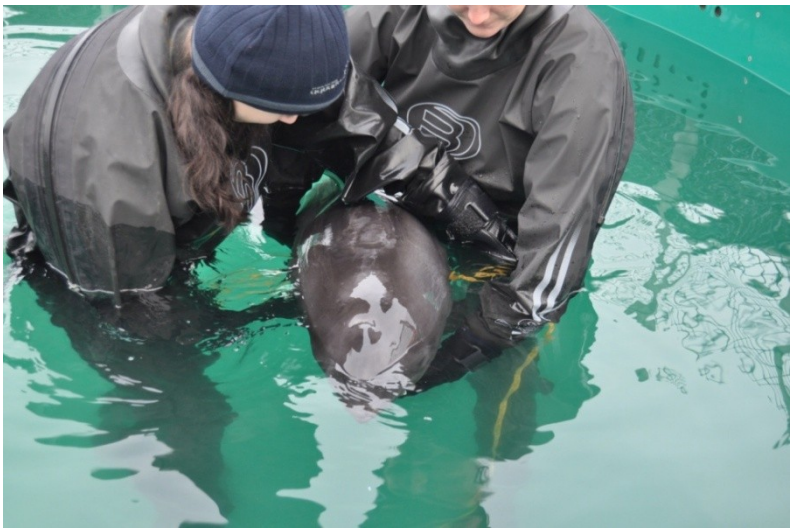


Harbour porpoises are innately shy and will avoid contact with humans and boats in the wild. Such handling may well be terribly stressful.

Weighing



Measuring



Only surface toys are provided for a subsurface mammal. Note curve in dorsal fin not commonly seen in wild porpoises. Could be "droopy fin syndrome" resulting from confinement and lack of adequate exercise. Note the very small, shallow pool.

If kept in captivity at the Vancouver Aquarium she would not have the companionship of her own kind. In addition, the Aquarium does not have enough pool space. Overcrowding and housing of incompatible individuals/species can result in abnormal aggression. This was the case with the belugas and they were separated. It is highly probable that she would be bullied if confined with the belugas or the Pacific white-sided dolphins. It could be terrifying for her while disturbing for those who would be faced with an intruder.

Transfer to any other aquarium present the same unsuitable problems for this porpoise.

The present situation is unreasonable and excessively harsh. She was deemed in good health approximately 3 months ago – it is now 6 months. The porpoise should have been moved to a sea pen. Action must be taken immediately.

Status

Harbour porpoises are listed as a species of "special concern" and are protected under the *Species at Risk Act* (SARA). A management plan for the harbour porpoise, which sets goals and objectives for

maintaining its population levels was under development by DFO and had a projected completion deadline of July, 2008.

The harbour porpoise is also protected under the *Marine Mammal Regulations* of the *Fisheries Act.* This act outlines guidelines for viewing these marine mammals to protect them from disturbance.

Furthermore, the harbour porpoise is listed on the *World Conservation Union* Red List of Threatened Animals.

So each individual is important to the survival of the wild population. While viewing them in the wild could disturb them, confinement creates stressors that can impact on their health and well being.

Behaviors

Harbour porpoises are known to be "shy" and will avoid any contact with humans and boats. They are usually found in the wild in of 2 to 3 but will gather in larger groups.

Repeated human contact may well be very stressful for this wild creature. Getting fed with dead fish if "tricks"/required behaviours are performed would also be stressful.

The surface toys that are presently used for training are above surface show activities that are uncommon to this species. During my studies of their natural behavioural they quickly surface to breath while all other behaviours are underwater. Harbour porpoise surface with a gentle rolling motion and infrequently breach or display at the surface, although when feeding in tide lines, they will often fast-surface creating a low splash.

What Must Be Done - The Feasibility of Rehabilitation

Even after contact with humans it has been found in other marine mammals that they disassociate themselves from humans. They quickly return to their innate wild instincts once given the opportunity to reunite with others of their own kind. They are still wild. They have not bred for over hundreds of years as with domesticated animals. Even feral dogs and cats have retained natural hunting and survival skills.

Young harbour seals who are kept in rehabilitation centres quickly adapt and survive when release. The lone orca, Springer, spent six months separated from her family. Common dolphins off California have been rehabbed and released.

Captive orcas quickly recovered their innate behaviour even after years of captivity and continuous training/conditioning to eat dead fish when fish reintroduced. They following study looked at two captives.

Newman, K., H. Markowitz (San Francisco State University, San Francisco CA 94132) (1993). ***Echolocation by killer whales (Orcinus orca) while in pursuit of live fish****. Abstract from Marine Mammal Conference.*

ABSTRACT

Echolocation use by cetaceans has been postulated to be functional in a natural environment, but might not be used as frequently in a captive setting where the water is clear and the whales are handfed. The

object of this study was to see if captive Orcinus orca used echolocation when presented with live fish. We fed live coho salmon (Onchorhynchus klautch) to two captive killer whales at Marine World Africa, U.S.A., Vallejo, CA. The experiment was videotaped and recorded on a high frequency Racal 4D store four-track tape machine at 30 inches per second. A hydrophone array, consisting of a B&K 8104, a B&K 8105 and a Magnavox, was used to receive the sounds. Recordings of echolocation clicks were slowed down and analyzed with a Kay Elemetrics DSP 5500 Sonagraph and a MacAdios sound analysis program.

Results of this study demonstrate that captive killer whales will pursue, capture, and eat live fish. The whales in this study used echolocation while in pursuit of fish, as well as at other times. Preliminary analyses of echolocation clicks reveal spectral energy up to 80 kilohertz.

The New England Aquarium's Rescue Rehab Department have successfully rehabilitated and released several harbor porpoises. The Marine Mammal Center in California has also rehabbed porpoises. I have requested details of their successes.

All training to perform tricks for captivity must be immediately stopped and human contact limited. Known rehabilitation methods must be implemented immediately. This would include reintroduction to live fish, introduction to sub-surfaced natural objects (such as large rocks and kelp) and relocation to a sea pen at the Aquarium research station on Popham Island (a short boat ride away).

Jeremy Fitzgibbons, Vancouver Aquarium, agreed with LIfeforce that reintroduction of fish and a sea pen at Popham Island would be simple if DFO permits a release program.

Once acclimated to the seapen the gate would be opened for her to be given the chance to meet up with local harbour porpoises.

Benefits

The release and rehabilitation of Harbour porpoises is not unique. It has been successful with other HPs and the same basic principles used for other species would also apply. After all that is supposed to be goal of marine mammal stranding networks - to rescue, rehab and release.

The methodologies developed with this porpoise would give us greater insight for successful releases and future planning.

Conclusion and Hopeful Beginning

I was pleased to hear that DFO has requested that a report by experts be completed. I understand the complexity of this situation with a younger porpoise. However, in view of the background information provided in this letter it appears that her survival in the wild would be a success. She survived when her chances were thought to be only at 10%. This shows that she is strong and a good candidate for release.

I look forward to receiving the DFO report and the opportunity to discuss the matter further. Morally we humans have a responsibility to protect the freedom of marine wildlife. The Aquarium didn't expect the porpoise named "Daisy" to survive. She has gone through a terrible ordeal and has fought hard to

survive. It’s time to get her out and back to her home in the wild. We must respect her fight to stay alive and give her that chance of freedom.