

**Private and Confidential/Not for Distribution**

**Memorandum**

Dated: February 16, 2017  
To: Marineland Animal Welfare Committee  
From: Dr. Lanny Cornell, B.S., D.V.M.  
Re: Report to the Animal Welfare Committee (“Committee”)

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**Introduction**

In compliance with applicable laws and regulations and in furtherance of the objectives of Marineland of Canada Inc. (“Marineland”) to ensure the welfare and health of all of the animals under its care, this report is provided to the Committee for its review and consideration.

**Scope of Review**

The purpose of the review and report is to provide a baseline report regarding the health and welfare of the animals at Marineland.

Further to that review I have undertaken the following, in summary:

- a. A review of applicable legislation and regulations;
- b. A review of existing reports, evaluations and other records related to Marineland published by third parties, including, but not limited to, CAZA reports and the Rosen Report;
- c. A review of the Stantec Water Quality Report;
- d. A review of OSPCA Administrative Orders and revocations;
- e. A review of charges laid by the OSPCA under the Provincial Offences Act;
- f. A review of the veterinarian report of Dr. Brad DeWolf prepared for the OSPCA and forming the basis of the charges laid against Marineland;
- g. A general review of complaints made by third party activist groups regarding the conditions of the animals and facilities at Marineland;
- h. A review of the expert Reports of Dr. Noonan regarding the Beluga Whales;
- i. A review of the enrichment report provided to the OSPCA regarding Kiska;

- j. A review of all records collected and maintained by Marineland staff, further to fulfilling its obligations under Statute and in order to record animal care;
- k. I have undertaken a thorough physical review of all of the facilities of Marineland that are related to animal care;
- l. I have interviewed Marineland staff and made appropriate inquiries regarding all aspects of the facilities and animal care;
- m. I have made inquiries of veterinary staff for Marineland regarding the care and treatment of all of the animals and, where appropriate, made inquiries regarding the health, care and treatment of relevant animals; and,
- n. I have personally examined each of the marine mammals and land animals and, where appropriate, each of those animals' medical and other records.

**Criteria for Review**

For the purposes of my review, set out above, I have considered the following in relation to the marine and land animals:

<b>Criteria for Review</b>
Procedures for routine interactions with, and routine care of, the marine mammal and land animal
Training requirements for the marine mammal
The collection and recording of information about the marine mammal and land animal, whether by observation or by other means, to ensure that appropriate care can be provided to it and to ensure that the animal welfare plan is based on appropriate evidence
Minimum staff and resource requirements to ensure the physical, psychological and social well-being of the marine mammal and land animal
A stimulation program that is sufficient to maintain the marine mammal's and land animals' health and mental wellness
Appropriate social groupings for the marine mammal and land animal
A plan for providing the marine mammal and land animal with feedings (including at night, if appropriate)
A plan for providing the marine mammal and land animal with social interaction (including at night, if appropriate)
A plan for providing the marine mammal and land animal with training, social enrichment and play sessions, if appropriate
Enclosure Requirements/Water Quality: A list of types of environmental enrichment objects that must be provided in the enclosure of the marine mammal, if any, the number of objects that must be provided and the schedule for changing those objects.
1. Detailed species-specific enclosure and environmental requirements for

<p>the marine mammal, including requirements regarding the number and type of fixed features to be included in the marine mammal's enclosure, that take into account the unique needs of the individual marine mammal and that are designed to ensure its well-being and ensure compliance with the requirements;</p> <p>2. If the marine mammal requires a portion of its enclosures be shaded, the minimum portion of the enclosure that be shaded to meet its needs. Situations where the marine mammal must be housed in an indoor enclosure, if any; and</p>
Methods to ensure that enclosure air is free of harmful concentrations of pollutants
Measures to ensure the welfare of the marine mammal and land animal, in the event of a disruption of normal operations, such as a power failure, an extreme weather event or a labour dispute
A determination of whether it would be consistent with the immediate and long-term health of the marine mammal and of any offspring to attempt to breed the marine mammal, having regard to the age and health of the marine mammal, the health care needs of any offspring and the immediate and long-term housing needs of the marine mammal and of any offspring
A plan for the care of any offspring if the marine mammal is to be bred, including procedures for the hand rearing the offspring if hand rearing could be required
Procedures for euthanasia of the marine mammal and land animal
A list of records related to the marine mammal and land animal that must be maintained
Public Contact Program
Transfer and Movement
Preventative Health Care

## Observations

Reference should be made to the full records related to any specific animal or herd for complete information regarding the health of any individual animal.

Concerns regarding any specific animal should be addressed only following an up to date examination by an experienced marine mammal or land animal veterinarian.

The following observations are general in nature and intended to guide discussion and provide an overall evaluative assessment of animal care and health at Marineland.

Animal care at Marineland is a well-developed and well-funded program operating over decades with well-trained staff guided by experienced veterinary staff and management.

Resources are applied on a year over year basis, as needed, to maintain a high quality of animal care.

Of note, the pools at Marineland housing marine mammals are collectively the largest in the world.

The marine mammal program at Marineland meets internationally recognized standards of care and represents, in particular, the most successful Beluga Whale program in the world. Remarkably, Marineland successfully breeds Beluga Whales. All Beluga Whales born in 2016 were successful live births and the Beluga offspring are flourishing.

The animals at Marineland are in good physical condition and healthy.

The marine mammals are in very good condition, well fed, healthy, show no signs of behavioural maladjustment or aggression and appear to actively engage with other animals in their social settings and interact well with Staff.

Kiska is in good health, feeding well, interacting well with staff, is responding well to enrichment and training, and appears to be active and alert. She appears to be in good condition overall for her age and general health. She remains under constant supervision, evaluation and appropriate veterinary care.

The land animals are composed of several herds of animals (elk, red deer, bison, fallow deer) bears and birds.

The herds are uniformly healthy, well fed, with good coats, and appear to be interacting in a manner consistent with known social behavior.

The bears are healthy and in good condition. None of the bears display any unnatural behavior and there are no reported instances of such behavior. Unnaturally aggressive behavior would lead to altercations and injury. None have been reported and no injuries are visible.

The flocks of birds appear generally healthy, in good condition, with good feathers. The birds are eating well and interacting normally.

Staff are aware of their care and feeding responsibilities, appear to be well trained and clearly dedicated to the health and welfare of the animals in their care. Staff are proactive and both directed to and willing to bring issues of concern to management and veterinary staff.

Staff are willing to and have maintained records of their care, which are shared among staff, reported to management and veterinary staff, and form the basis of continued care programs.

The water quality appears to be excellent, and is reflected in the quality of the skin and coats of the marine mammals. A review of the water quality records do not reveal any issues of concern. Marineland maintains a redundant system of water filtration, which easily exceeds industry standards.

All animals have appropriate access to clean fresh water. There is no indication in any animal of any issue related to access to or the quality of water.

All the animals are provided with a healthy diet commensurate with their needs. Marine mammals receive a healthy diet of fresh fish. Land animals receive fresh feed in accordance with their needs.

Records of consumption for specific animals are maintained where appropriate. Weight records are maintained where advised or considered necessary.

The quality of the food and feeding is evident in the good condition of the animals.

No issues of concern were noted with feed or feeding. Allegations of feeding moldy food to bears is denied by staff (apparently the OSPCA misunderstood the process and did not seek clarification) and there is no evidence of ill health among any of the bears.

The requirement to remove all moldy food prior to delivery was reiterated and staff confirmed that they conscientiously did so.

Land animals are generally fed at early evening to avoid predation of food and harassment of animals by seagulls. In particular, the bears are fed in the early evening to avoid this from occurring. This practice has proven successful and will be continued.

Enclosures appeared to be clean, well-kept and sufficient in size and depth for each marine and land animal. Inadequacy of enclosure size will be reflected in animal condition and behavior. No such behavior was observed or reported in any animal. All of the animals appeared to be calm and well-adjusted to their enclosures.

It would be preferable for a companion Orca to be provided to Kiska. We understand that legislation currently prohibits a companion for her.

Additional shelters have been built for fallow deer. Fallow deer typically do not utilize shelters. There are no prescribed standards for shelter for fallow deer. Existing shelters provide substantial excess capacity for fallow deer. Two of the three enclosures at Chippawa are in directly wooded areas consistent with glade type environments and provide a variety of shade and areas for smaller groups to remove themselves from the larger herd, though the deer prefer to congregate as a herd.

Injuries to all prey herd animals, Elk, Red Deer, Fallow Deer, Bison, may occur when they are alarmed and stampede. This behavior is normal. Common injuries that occur include leg injuries, manifesting as lameness.

Land animal staff are trained to approach the land animals calmly in known vehicles and to avoid sudden or high speed activities that could cause a stampede. The introduction of third parties into the enclosures of herd land animals must be carefully monitored and avoided if at all possible. This issue is of particular concern in fall or winter months when the ground may freeze suddenly and pose additional risk to the legs of the animals.

### **Veterinary Care and Program**

There is a well-developed veterinary care program at Marineland that has operated successfully over decades.

Staff are trained to report any incident of concern to veterinary staff.

Veterinary services are provided appropriately and as needed. Staff properly record incidents and treatment. There is an extremely low incidence of injury or sickness in the animals.

Older animals are typically supported by veterinary care well into old age as long as their quality of life is appropriate. Typical issues included coat changes due to old age and eye trouble as land animals age. Additional issues may include stiffness or some degree of lameness. Such animals are appropriately monitored and only euthanized when it is apparent that their quality of life may be in decline. It is important to stress that old age, stiffness, some degree of lameness or eye issues, such as blindness do not necessarily mean any animal is in distress. As in humans, such issues simply reflect the normal progress of life into old age. Care must be taken to consider the overall health of each animal and its quality of life before making any precipitous decisions regarding its continuing health and welfare.

### **Conclusions**

Marineland meets the requirements of applicable laws and regulations governing the care and treatment of marine and land animals in Canada.

Marineland continues to work to improve its care and treatment programs.

The Animal Care Committee may consider providing support, guidance and direction to management and animal care staff as appropriate as they continue to develop and improve on animal care at Marineland.

The care and treatment of animals is an evolving and continuous process of self-examination and improvement. Staff and Management should be encouraged to voice and report any issues of concern to the Animal Care Committee so that such issues may be addressed.

Specific questions regarding individual issues or animals should be addressed directly by the Animal Care Committee as part of its regular operation.