

Subject: Loro Parque Report

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Date: Fri, 12 Nov 2010 15:55:35 -0500

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Barbara,

Mike asked me to forward the report prepared by Suzanne Allee regarding her concerns at Loro Parque. The report is attached.

Jennifer

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Sea World's "Excess Orcas" at Loro Parque, Tenerife, Spain

Suzanne M. Allee

October 10, 2010

In December of 2005, Sea World confirmed that it had entered into a "financial arrangement" to ship four juvenile orcas to an animal park called Loro Parque in the Spanish Canary Islands. This was the first time in the history of Sea World's captive marine mammal "loan and breed" program that it would attempt to transport orcas to a park outside of the United States. It would be a new endeavor for Loro Parque as well, since the privately owned facility had never previously housed or trained killer whales. Various animal protection groups, including the Humane Society of the United States, raised concerns over the irresponsibility of shipping these highly intelligent, social and complex mammals to a foreign park where regulations are less strict. But because the standards regulating import, export, and breeding were never adequately defined under the amended 1994 Marine Mammal Protection Act or the revised 2001 regulations under the Animal Welfare Act, Sea World didn't have to answer any of the valid concerns being raised; instead, it was allowed to set its own standards about what was appropriate to do with these animals. With nothing more restrictive than a 15-day notification process under current MMPA provisions, Sea World was free to export multiple juvenile orcas to an untested facility overseas for profit and reproduction. On February 14th, 2006, the four "excess"¹ orcas arrived at their new home in Loro Parque: Keto, a 10-year old male from Sea World Texas separated from his brother Keet; Tekoa, a 5-year old male from Sea World Texas separated from his protector Kayla and his best friend, Tuar; Kohana, a 3-year old female from Sea World Florida separated from both her mother Takara and her months-old brother, Trua; and Skyla, a 2-year old female separated from her mother, Kalina (recently deceased).

In her testimony to the U.S. House Subcommittee on Insular Affairs, Oceans and Wildlife on April 27th, 2010, Sea World curator Julie Scardina stated that even though she has not been to all the worldwide facilities (including Loro Parque) that house Sea World's on-loan animals, these animals are monitored and supervised carefully. Unlike Ms. Scardina, I have been to Loro Parque (LP) and indeed, I worked in Orca Ocean (LP's venue for the orca facility) beginning on February 13th, 2006 (the day before the orcas arrived) until July 5th, 2009. I was recruited for the LP project

¹ Jerry W. Jackson, "Seaworld Orlando Enters Into 'Financial Arrangement' with Canary Island Zoo to Ship Four Excess Orcas," December 9th, 2005, http://www.underwatertimes.com/news.php?article_id=67921080543

while working at Sea World Texas in 2005 as part of the Shamu Stadium video and show production crew, and was the only American and former Sea World employee hired by the Spanish park to be part of the transition team and the eventual supervisor of the Audio/Visual department. For three and a half years I witnessed the worst-case scenario of what can and does happen to these animals when they are allowed to be exported outside the jurisdiction of the United States due to weak legislation that requires little or no oversight or regulation.

Ms. Scardina also claimed in her testimony that these foreign parks are required by Sea World to maintain the same standards as in the U.S. But during my time at Sea World Texas, I never knew any orca trainers hired "off the street" with no previous experience or education; nor did the pools have to be continually shut down for repair due to cheap, unskilled labor and hurried construction; nor were divers continually put in danger while cleaning the pools because the gates separating them from the orcas had not been properly secured; nor were trainers allowed to undertake water work with the orcas within six months of being transferred into the department; and most heartbreaking of all, I never witnessed an orca forced to perform while injured and bleeding. All of these things happened during my tenure at LP.

Because of the unprecedented nature of this project, eight sea lion and dolphin trainers from LP were sent to Sea World Texas and Sea World Florida to work with the orcas in the years preceding the transfer, five in 2004 and subsequently three more in 2005. However, within the first year of the opening of Orca Ocean, three of these trainers were gone. One was fired, another quit, and the last asked to be transferred to another department within the park. In every case, these trainers were replaced by people outside of the park with no previous experience or education pertaining to animal care or training. The lead veterinarian at LP was also sent to Sea World for a few weeks of intensive training, but he resigned in the summer of 2006, just a few months after the orcas arrived. None of the remaining or subsequent vets were sent to any Sea World park for specialized training. And the curator, who made several visits to Sea World parks preceding the transfer and who has decades of experience caring for and training marine mammals, stepped down from his position in February of 2007. His resignation was due to ongoing conflicts with the Orca Ocean supervisor, Miguel Diaz, who I witnessed maligning the curator's professional reputation and belittling his contributions.

In a "secret" letter² he wrote to the owner of the park, Wolfgang Kiessling, Diaz took responsibility for all the positive things happening in Orca Ocean, and laid the blame for all failures at the feet of the curator and the first of the three Sea World trainers that were on-site during the initial four years of the program. It wasn't long after this letter that LP decided the position of marine mammal curator was expendable. Instead, the previous curator, Joan Salichs, who left the park during the LP trainers' time at Sea World, appears on the island for the annual "spot check" by Brad Andrews, Sea World's Senior Vice President of Zoological Operations. In fact, more than a year passed between the departure of the previous curator and the first of Joan's sporadic return visits to the park, none lasting more than a few days at a time.

Sea World has apparently enough respect for the position of curator that it sent Julie Scardina to be its public face in front of the U.S. Congress. Yet a park that had never housed or trained orcas before and that was lacking in qualified and educated trainers found the position of curator, and all the experience and expertise that it brought to the nascent program, to be simply unnecessary. Diaz later told me his reasons for wanting to get rid of the curator were because he got in Diaz's way and never let him do what he wanted. But Sea World's own definition of the supervisor's job (according to its InfoBook on Zoological Park Careers) includes responsibility for implementing the goals and objectives as developed by the curator. The supervisor must also "ensure a safe environment for animals". Yet Diaz never mentioned what was best for the orcas as being a factor in his decision to be rid of the marine mammal curator, his professional superior within the department. The lack of a curator alone should be considered enough of a risk to the orcas to require their removal from LP, especially since the owner of the park refuses to replace Diaz, despite his numerous and continuous failures.

The lead vet was gone; the marine mammal curator was gone; almost 40% of the Sea World-coached LP trainers were gone, and all within the initial year of the exhibit's opening. Yet this huge turnover of staff in such a short period of time apparently didn't raise any "red flags" for Corporate Sea World. And even though many professionals expressed concern over the loss of so much of the preliminary infrastructure put in place to ensure the safety of the animals and the success of the project, Corporate Sea World never felt the need to reassess the situation, or make any ultimatums to the directors (Dirección) of LP.

² The curator recounted this event to me. The letter that Diaz sent to Kiessling was later forwarded on to him and the on-site Sea World supervisor by LP Dirección.

Diaz is also the one responsible for hiring staff literally “off-the-streets”; it is my belief that he doesn’t want anyone’s previous experience to challenge his own, nor does he want to be threatened by anyone with a more advanced education than his own. At least four of these random employees quit within months of being hired. In fact, within a department consisting of on average between nine to eleven trainers, at least twenty-three trainers have been hired within the past four years, and thirteen of these have already come and gone; more than a 56% turnover rate.³ No one could legitimately claim this amount of instability as conducive to the safe and proper training of orcas, especially juvenile ones.

For supervisor, Sea World’s minimum education requirement according to its InfoBook is a Bachelor’s degree or equivalent preferred in biological sciences or psychology; yet Diaz left school while still a teenager, and has not even completed a sophomore-level of high school education (by American standards). After my three and a half years there, I have learned that after experiencing difficulties passing his subjects, his father, who still works as a mechanic at LP, secured him a position at the park. And Diaz’s background is no anomaly – the majority of the local animal trainers working at the park, including the ones employed at Orca Ocean, has similar deficiencies in their educational backgrounds (for trainers, Sea World’s minimum education requirement is an Associate’s degree). The Orca Ocean AV crew, whose duties include cleaning the trainers’ bathrooms and doing their laundry, had on average a higher level of education than the trainers.⁴

Even more detrimental, three trainers with degrees in the preferred disciplines and/or previous experience handling orcas were either fired or let go after their contracts expired (coincidentally or not, all three also happened to be female and non-Canarian). A local girl that Diaz hired as a replacement for one of these vacancies put herself and the animals in danger when she panicked during a diving accident and tried to exit the pool by climbing up the gate that separated her from the four orcas. Kohana and Skyla, waiting on the other side, were able to latch onto the scuba gear dangling between the bars and thrash her about. There’s no doubt in my mind that if she had been able to reach the top of the gate and had either fallen into the pool due to the weight of her equipment or been pulled in by the orcas’ grasp on her equipment, she would have been killed, and all four of the orcas would have had a stigma placed on them for the rest of their lives (similar to the 1991 Sealand of the Pacific fatality involving Haida 2, Nootka 4 and Tilikum). She was eventually fired by

³ This number is correct as of June 2010; at least three more inexperienced trainers have been hired during the past few months because of the impending birth of Kohana’s first calf.

⁴ During my tenure as AV supervisor, half of my crew members had completed a 2-year certificate program or higher after finishing high school.

the park, but not because of this troubling incident; rather, she was seen by the Head of Personnel in a bar while on an extended medical leave due to job-related anxiety and depression.

Obviously this young woman can't be faulted for being placed in an environment that she was simply unprepared for. According to Sea World's own guidelines, the fault lies solely with Miguel Diaz: "...the supervisor (of animal training) must always have an acute awareness of the animal training staff, including their professional backgrounds, capabilities, limits, and knowledge levels. This awareness is essential to ensuring consistency and quality control in every aspect of animal training." Diaz improperly assessed his employee's capability to react coherently in cases of emergency, the limits on her scuba diving skills, her knowledge of standard scuba diving and venue safety protocol, and most important of all, her comprehension of the real dangers involved in interacting with these animals. Once again, Diaz's actions endangered the well-being of the animals and the safety of his own staff; he deliberately chose to hire a novice over prospective candidates with experience and maturity, and once hired, he failed to adequately train this novice so that she could operate safely within that environment. Despite this critical failure in judgment and leadership, there were no consequences to Diaz's position as supervisor of Orca Ocean.

Ms. Scardina also stated in her congressional testimony that the Sea World loan program is "a very well-managed program" and that "we have...representatives that know what those facilities are and have been there." Supporting the actions of, and acting upon the suggestions of the three successive on-site trainers that Sea World provided during the initial four years of the program would seem to be the best way for Sea World to ensure the well-being of its animals, especially in a facility so far removed from its headquarters. Yet Corporate Sea World limited the trainers' official responsibilities in some areas, none more so than in the crucial area of animal training staff. The general consensus was actually that Rafa Sanchez,⁵ who up until August of 2009 was the sole co-supervisor of the department, should be the one in charge of the animals. And the initial Sea World trainer was dismayed when Diaz did not renew the contract of a female trainer who had previously handled orcas in Argentina, and disappointed when the park refused to hire an experienced orca trainer from Marineland Antibes. But even though their very lives depended on the preparedness of the LP trainers each and every time they handled the animals, and

⁵ Sanchez is an LP sea lion and dolphin trainer who was sent first to Sea World Texas and then to Sea World Florida alongside Diaz. He was one of only two LP trainers who remained behind while the others (including Diaz) returned to Tenerife in December of 2005, and also accompanied the orcas on their journey from the U.S. to Tenerife.

especially when they were training or performing in the water with the animals, the on-site Sea World trainers were not allowed to interfere with who was hired, who was fired, or the hierarchy of LP trainers within the actual department. This inability to intervene would later prove to have tragic consequences.

These constraints served to accelerate the eventual transfer of all orca responsibilities to LP management, a management that has been unable to live up to the standards Sea World maintains for its trainers, and unwilling to provide the quality of life that Sea World claims to provide for its orcas. As the owner of the four LP orcas, Corporate Sea World holds ultimate responsibility for them, yet it seldom if ever gave ultimatums to LP Dirección, or defended its on-site professionals against the daily machinations of Miguel Diaz. Indeed, it became increasingly disillusioning to see how little support the on-site Sea World trainers actually received from their superiors back in the United States. And while I'll never have anything but respect for the professionalism and care I witnessed the Sea World trainers extend to the animals in their care during my time at Sea World Texas and LP, the Sea World supervisory position for LP was always tied to a promotion once the trainers were back in the U.S., so one has to question how much these trainers were willing to jeopardize the promise of a permanent and higher post while employed in a temporary one.

And because of the limited responsibilities and weak backing, the on-site Sea World trainers were seldom successful in making any permanent changes within the overall operational procedures of Orca Ocean. Rather, they were "tolerated" for as long as they were there, but on their days off, their vacations, and at the end of their respective tenures (there was only one trainer on-site at a time), I witnessed many of the decisions they made that were in conflict with Diaz's wishes being immediately reversed. As an example, Kiessling demanded that the pools be cleaned more frequently after he saw a minimal amount of dirt on the bottom of the main pool. He appeared concerned about aesthetics rather than an actual husbandry issue. Rather than dive five to seven times a week as Diaz wanted, the on-site Sea World trainer limited the diving to three times a week, as excessive diving can actually do more damage to the animals than good. Algae, which Sea World considers to be potentially harmful to the animals, are more likely to adhere to the walls the more often the pools are scoured. Algae also cut down on pool visibility, which is vital for safe trainer and orca interactions in the water. And diving in general restricts the animals' physical space and cuts down on playtimes and training sessions.

However, the day after this trainer's tenure ended, Diaz put divers in the pools every single day for a week, and then continued to schedule diving at least five times weekly. His response was almost comical in its immaturity, if it weren't for the

sobering fact that the lives of four U.S.-owned orcas depend on his decisions and his reasoning behind them. In this case, he reversed the mandate of a senior Sea World trainer in order to please the owner of the park and, from my perspective, to prove to everyone within the department that he, and not the Sea World trainer, was “the boss”.

In a later incident, the LP trainers refused to follow the daily training plan of the subsequent Sea World trainer because Diaz had established a rule that no one was allowed to work with the animals in the medical pool when the main pool was “down” (i.e., empty of water due to repair). Unable to get the trainers to do anything, the Sea World trainer was finally forced to call Diaz on Diaz’s day off and point out that this was not, in fact, a legitimate rule, at least according to Sea World’s standards. He chastised him for “making up rules” and pointed out that the rules which actually do exist at Sea World do so for a formidable reason: so that no one loses his or her life. When the supervisor of the department trivializes the importance of Sea World’s established protocol by making up rules just so he can assert his own authority, it puts everyone, including the orcas, at grave risk.

On returning from a visit to LP in late 2005, Brad Andrews pronounced that “the massive pool is coming along nicely”.⁶ Yet less than five weeks after the orcas began inhabiting the new pools at Orca Ocean (one show pool, two back pools), the main pool and the show had to be shut down because the orcas were tearing the coating off the walls and ingesting it. The owner of the park, Wolfgang Kiessling, chose to use a relatively new material called MetFlex, which had never been used before in orca pools, including any Sea World pool. And in his rush to open the show (which had already been pushed back from Kiessling’s preferred date of December 17th, 2005, the 23rd anniversary of the opening of LP), the park ignored the technical advice of the MetFlex supplier and sprayed the coating onto the walls and floors of the pools while the cement was still damp from a recent rain. The VIP inaugural event was held on February 17th, 2006, just three days after the orcas, from two separate Sea World parks and social structures, arrived in their new facility. August Busch III, who at that time was still Chairman of the Board of Anheuser Busch Corporation, was present at the inauguration and spoke alongside Kiessling. Indeed, their personal relationship was the rumored impetus for the entire “excess orcas” arrangement. In a letter he sent to Keith Kasen, President and Chairman of the Board of Busch Entertainment Corporation (BEC), on February 27th, 2006, Busch III congratulated Kasen and his team “on the successful transfer of the whales to the

⁶ Jerry W. Jackson, “Seaworld Orlando Enters Into ‘Financial Arrangement’ with Canary Island Zoo to Ship Four Excess Orcas,” December 9th, 2005, http://www.underwatertimes.com/news.php?article_id=67921080543

Canary Islands. The facility is spectacular and the whales performed extremely well at their first show, which was only 3 days after their arrival in a brand new facility.” Yet the inaugural show was followed by a hiatus of four weeks while the final preparations were completed on the entire facility, including redoing most of the electrical work in “the tunnel” (the underground operations area that lies in-between the main pool and the two back pools); the actual show officially opened to the public on Friday the 17th of March. Right before the first show on Thursday the 23rd of March, and in front of a packed stadium, all four orcas appeared in the backstage area with strips of MetFlex hanging from their teeth, and paint smeared all over their rostrums. The trainers were so desperate to go on with the show that they actually tried to clean the paint off the animals using isopropyl alcohol. But this wasn’t the reason the shows were cancelled; it was because the orcas were so obsessed with tearing at the coating that the trainers had no control over the animals whenever they tried to re-release them into the main pool to continue the show. The facility was shut to the public and the orcas were moved into the two smaller back pools, where they remained for the next ten weeks while the main pool was repaired. The premature, forced, even naïve optimism exhibited by both Brad Andrews and August Busch III is indicative of Corporate Sea World’s attitude towards this entire project from its inception.

Even after the main pool reopened on June 3rd, 2006, the back pools were continuously shut down for repairs during the next three years, and Kiessling had these repaired in the same way he had them built: on a hurried and unrealistic timeline. To make matters worse, LP Dirección hired cheap, unskilled labor off the unemployment line for the essential job of sanding down the walls and floors of the pools (only a perfectly smooth surface ensures that the coating will not form air pockets that the orcas will eventually find and pick at) who were never even trained in the proper and safe operation of their equipment. And the orcas continued to tear up the main pool as well, but Kiessling refused to shut the show down again. This not only resulted in a three-year cycle of restricted pool space, lowered water levels, limited “playtimes” and training sessions, and exposure to loud construction noise for up to twelve hours a day and up to seven days a week (hammering, chiseling, scoring, sandblasting and pressure washing) for the orcas, but all of the animals with the exception of Tekoa had to undergo multiple endoscopes (insertion of a thin flexible tube through the oral cavity which uses a lens or miniature camera to view various areas of the gastrointestinal tract) because of digestive ailments and concerns. It also meant the trainers were not allowed to train or perform water work with the animals when a pool was down, since it was considered a safety hazard (the exception being the med pool). In fact, at least half the time during the first three plus years that the orcas inhabited the pools at LP, one of the pools was down for repair. And even in-

between repairs, when all three pools were open and supposedly safe, the skimmers always contained fragments of MetFlex.

More harmful than the intestinal maladies is the effect this has had on the animals' teeth, with Skyla, the youngest of the orcas, being in arguably the worst condition (and also the one who endured the most endoscopes). She was continually on medication for dental ailments and chronic pain, a direct result of the poor condition of the pools. Last month, the Orca Project reported on a possible link between poor dentition and premature deaths⁷, and this is already being explored as a possible cause for the early death of Kalina, the mother of both Skyla and Keto, at the age of 25 on October 4th, 2010.⁸ It is telling that during my four and half years of working around captive orcas, the one thing I was never allowed to film was the oral health procedures.

Another item that started appearing in the skimmers was tiny pieces of bio balls (plastic canisters inserted into the filtration system to cut down on bubbles). LP Dirección had chosen to purchase the cheapest bio balls possible, and these were breaking inside the filtration system and gradually filtering out into the pools. In mid-December 2008, while Brad Andrews was physically on-site for his annual "spot check", we came to work in the morning to find the surface of all three pools littered with millions of tiny, sharp particles of plastic. The bio balls had broken down sometime during the night, and it was uncertain how long the orcas had been swimming in this stew of plastic shards before the park opened.

It was only after this incident that Corporate Sea World issued an ultimatum to LP to shut down all three pools and fix them per Sea World's instructions (i.e., replace the MetFlex with epoxy) beginning in early January of 2009. But even after all the pools were repaired (a process lasting more than four months), the orcas continue to pick at the epoxy because after three years it has become a "learned behavior".

I later discovered that even the directive to close the main pool was part of a financial agreement reached with LP Dirección. At this time, BEC was still in the preliminary stages of building four parks on man-made islands in Dubai (including a Sea World park) and planned to transport four of its killer whales from the U.S. to the

⁷ The Orca Project, "The Hidden Cost Of Captivity- Oral Health of Killer Whales Exposed," September 25th, 2010, <http://theorcaproject.wordpress.com/2010/09/25/the-hidden-cost-of-captivity-oral-health-of-killer-whales-exposed/>

⁸ The Orca Project, "Death Toll Rises At SeaWorld. Original Baby Shamu, Kalina is 4th Orca Casualty This Year," October 5th, 2010, <http://theorcaproject.wordpress.com/2010/10/05/death-toll-rises-at-seaworld-kalina-fourth-orca-casualty-this-year/>

Middle East. Busch Entertainment President Jim Atchison touted it as “a chance to put the Busch brands on a true global stage”.⁹ But because of the distance, BEC had reached an arrangement with Kiessling to pay him for housing the four Dubai orcas and their trainers until the pools were ready to be inhabited (in other words, LP would serve as a “rest stop” for the animals), but only if he agreed to shut down the main pool (and thus lose revenue from the lack of a stadium show). In the end, even the fundamental act of repairing pools broken from the beginning, which resulted in a continual cycle of stress and physical, possibly fatal, ailments for the orcas, was only achieved after proffering money to Kiessling.

Miguel Diaz promised LP Dirección to resume stadium shows the day after the main pool was refilled, despite the fact the pool had been a construction zone for more than three months. That morning there was less than a three-hour window to not only dive the pool, but re-release the orcas into a tank that had been painted white, blue and yellow (visually reminiscent of the Canary Islands flag, and a sharp contrast to the previous uniform yellow). The two divers in charge of cleaning the pool that day were also members of my AV crew, and after surfacing they reported that the bottom of the pool was still so filthy with dirt and debris, including plastics and cigarette butts, that visibility on the bottom was less than an arm's length. Nonetheless, Diaz refused to cancel any shows or communicate the condition of the pool and water to LP Dirección. But regardless of Diaz's intent, that first day's shows had to be cancelled and then truncated because the orcas themselves refused to enter the pool.

On occasions too numerous to count, the divers in charge of cleaning the pools surfaced after hearing loud banging noises only to discover the orcas in the process of pushing open the gates because they had not been properly secured by the trainers. In the most serious incident, David Quintero, a member of my AV crew, almost lost his life. Established safety protocol is that the “spotter” (the person responsible for monitoring the divers while they are in the pools) is not allowed to relinquish the gate key to anyone until he or she has physically seen the divers safely exit the pools. In blatant violation of this, Diaz demanded the gate key from the spotter and proceeded to open the gates, unaware that David was still in the pool. The four orcas immediately took off towards David in the back pool, and his frantic efforts to exit before they reached him only increased their curiosity and speed. He was pulled out of the water just in time. Diaz later confided to me that although he had not seen David actually exit the pool, he saw him swimming towards the edge and just assumed that he had gotten out. However, I heard that the story he told to LP

⁹ Beth Kassab, “No Busch Gardens, SeaWorld for Dubai,” February 4th, 2009, <http://www.orlandosentinel.com/travel/attractions/orl-kassab0409feb04.0.2251456.column>

Dirección was that David deliberately jumped back into the pool after the gates were open in order to make the trainers look like fools. David was subsequently fired by the park; once again there were no permanent repercussions for Diaz, and these types of near-miss fatalities continue to happen with alarming frequency to this very day.¹⁰

After this incident, the on-site Sea World supervisor reviewed all diving safety protocol and reemphasized to everyone in the venue that spotters were forbidden to relinquish the key to anyone, including the Orca Ocean supervisor and even the owner of the park. The sad truth is that all the spotters later admitted to me that if the situation were to repeat itself, they would still relinquish the key to Diaz. With a local unemployment rate hovering around 25% (higher than the national average of 20% and the highest in Europe), no one within Orca Ocean was going to challenge "the boss". Indeed, this is another of the inherent flaws at LP that continues to endanger the welfare of the orcas; regardless of position within the park, few are going to challenge the authority of their superiors for fear of losing their job. The economy of Tenerife is based on tourism, and LP is the biggest tourist attraction in the Canary Islands. Not only is Kiessler the single largest employer on the island, his companies also employ legacies, and few locals on this insular island are going to put their entire family at risk by challenging any member of LP Dirección or management. No labor unions exist at the park, and Kiessler keeps the majority of his employees on temporary, yearly contracts that exclude any long term stability or benefits. Part of Spain's recent austerity package includes labor reforms that would make it easier and cheaper for companies to fire employees, and for the first quarter of 2010, the unemployment rate in the Canary Islands stood at 27.68%. This reality is a constant and insidious obstruction to the well-being of the orcas that is never going to go away as long as they remain on that island.

Even before the transfer, concerns were raised over what would become of Tekoa. Separated from his mother Taima (recently deceased) at a young age due to her aggressive tendencies towards her calves, Tekoa was protected by the matriarch at Sea World Texas, Kayla, and he was inseparable from the other young male, Tuar. But as the subdominant male in the new and immature social structure, he would be at the bottom of the totem pole and would have no matriarch to protect him from the aggression of the other orcas. It isn't hard to imagine how traumatic this transition must have been for him; the bullying, dominance and shunning began almost immediately, and Tekoa's once clear skin was soon covered in rake marks. During their time at Sea World Texas and Sea World Florida, the original eight LP trainers only dealt with established social rankings, and one of these trainers even admitted to

¹⁰ My most recent trip to Tenerife was in September of 2010, during which time a colleague from LP informed me that these incidents continue.

me that Tekoa's situation was made worse due to their inexperience at handling this sort of situation.

During the initial year, Tekoa was consistently placed with trainers who were just beginning to perform shows with the animals, and since there was such a high turnover rate that year, he was never really able to bond with any of them. In the summer of 2007, Kiessler transferred a young woman named Claudia Vollhardt into Orca Ocean. Although she did have a degree in biology, she was an apprentice trainer in the LP dolphinarium before being placed in Orca Ocean. In other words, her primary duties were cleaning the area, preparing food for the dolphins, and basic husbandry. She didn't perform water work with the dolphins, yet within six months after her transfer into Orca Ocean she was in the water with Tekoa. In fact, Claudia was training and performing water work more frequently than trainers who had been working at Orca Ocean since its inception, and more frequently than some of the staff who had gone to train at Sea World. The reason for this was purely a matter of public relations: Because Claudia is half-German (Germans are one of the largest demographics of the park's clientele) and half-Thai (the Royal Family of Thailand is a longtime sponsor of the park), Kiessler showcased her for marketing purposes. She quickly became "la estrella de Orca Ocean" and was featured in all print, television and press materials that were generated from or that pertained to the park. The German and English public could routinely see her in such television shows as "Menschen, Tiere und Doktoren" and "Wildlife Nannies" in which she was paraded alongside the on-site Sea World supervisor as if she was his equal.

In the summer of 2007, Claudia was performing a show with Tekoa when Diaz lost control of Keto, the dominant male. Keto raced into the main pool where Tekoa was performing, collided with him, and proceeded to chase him about the pool until Tekoa fled into the back, followed by Keto. But rather than call a show delay, assess the situation of the animals, and send an alternate orca to perform (as is established Sea World protocol), Diaz instructed Claudia to continue the show with Tekoa. While performing a pectoral wave for the children in the front rows, blood began seeping from wounds in Tekoa's side. It wasn't certain when Claudia became aware that Tekoa was bleeding, but she continued the show regardless, and ended the segment by instructing him to perform a full body pose at main stage (technically referred to as a "profile at main stage"). The last image the audience saw was the stage covered in Tekoa's blood. This was one of many incidences involving mishandling of and injury to the animals which was never reported to the on-site Sea World supervisor.

Claudia later told me that although she was upset by the situation, she couldn't say no to her superior for fear of losing her job. Once again, fear took precedence

over safety and accepted protocol, and what was best for the animals. A few months later, on October 6th, 2007, Tekoa attacked Claudia during a training session and nearly drowned her. To me, it really wasn't a surprise that Tekoa would eventually take out his frustrations on the one thing he could – a trainer. He was subsequently labeled a “problem orca” and special protocols were put in place for interacting with him, including isolation at the very beginning, and the cessation of physical contact with trainers.

Despite injuries from this attack which still affect her to this day and prevent her from undertaking all the physical demands of an orca trainer¹¹, Kiessling reinstated Claudia into Orca Ocean in the summer of 2009. A short time later, LP Dirección announced that it had entered into negotiations with German television channel ZDF to film on location in the park for one hundred and fifty days, which would be aired as forty one-hour segments beginning in the summer of 2010. Only the German-speaking employees of LP would be featured; before Claudia was sent back to Orca Ocean, there was no German-speaking staff there.

A little more than two years after the accident with Tekoa, on Christmas Eve of 2009, twenty-nine year old Alexis Martinez was attacked and crushed to death during a water work session with Keto. As the recent autopsy report shows, his body exhibited various fractures, including every bone in his anterior rib cage, lesions on his vital organs, and the bite marks of an orca.¹² Two separate accidents, two separate trainers, two separate orcas, and all within the space of less than four years. In an interview with Spanish press ABC.es, on the occasion of what would have been Alexis' 30th birthday and less than a week after the death of Dawn Brancheau, Alexis' mother and fiancée asked a simple, poignant question: “How many more trainers have to die before a government body will intervene?”¹³

Unlike the situation with Tilikum, who was never allowed to undertake water work with trainers, Keto was the most reliable and oft-used orca in both dry and wet

¹¹ According to Sea World's InfoBook, it is crucial that animal trainers maintain a high level of physical fitness to safely perform their range of duties. And Claudia is not alone; Diaz was on at least two extended medical leaves in 2009, in the spring and then again in the fall and winter. The latter medical leave coincided with an extended medical leave by Sanchez, as well, meaning that both the supervisor and co-supervisor were absent. Because of this, Diaz promoted a trainer named Juan Hernandez to co-supervisor in August of 2009, even though he had been training orcas for little more than a year.

¹² M.A. Montero, “La orca Keto si ataco y causo la muerte de Alexis, el adiestrador de Loro Parque,” October 4th, 2010, <http://www.abc.es/20101003/comunidad-canarias/orca-keto-ataco-causo-20101003.html>

¹³ Moises A. Montero, “Sólo queremos que no se repita,” February 2nd, 2010, http://www.abc.es/hemeroteca/historico-28-02-2010/abc/Canarias/solo-queremos-que-no-se-repita_1134119847607.html

shows; yet he killed his trainer. And Tekoa, about whom concerns were raised before his transfer, attacked his trainer. And in between these two incidents, the behavior of the youngest orca, Skyla, had become so unpredictable that she was considered a threat to her trainers. I personally sent video to Brad Andrews of Skyla pushing her Canarian trainer around in the pool and up against the wall. It wasn't long after this that special protocols were enacted for handling Skyla, and water work ceased with her, as well. That's three out of the four orcas sent to LP, and it can be argued that the only reason Kohana has been spared from this sad statistic is because the trainers have had limited contact with her due to the imminent birth of her first calf (expected in late October or November). No one is certain whether Keto or Tekoa is the father, but both have attacked their trainers. And Kohana's grandmother, Kasatka, is one of the most unpredictable and dangerous orcas at Sea World San Diego.

As stated at the beginning, this is the first time that Sea World has ever allowed its orcas out of its control. And while it is true that Sea World also sent a juvenile male to Marineland Ontario in November of 2006, sending one orca to another North America facility that has a history of maintaining orcas is vastly different than sending four orcas at the same time to a Spanish park off the northwest coast of Africa with no history of maintaining orcas. This was allowed to happen because of a grossly inadequate permitting process and inadequate regulations under the MMPA concerning the exportation of captive marine mammals. The LP "experiment" has been an unmitigated disaster, and for Alexis', his loved ones, and the four orcas, it is a tragedy, and it should never be allowed to happen again. Nor should these orcas, whose quality of life, quality of care, and quality of training are not comparable to Sea World standards, be allowed to remain at that park. Unless Corporate Sea World can continuously provide at least two on-site trainers to completely supervise that department, this export should not be allowed to stand. There are simply too many people in charge at LP and Orca Ocean who don't and can't put the well-being of the animals as the priority.

Even as late as the fall of 2009, Brian Rokeach, the most recent on-site Sea World trainer, was trying to convince Corporate Sea World to transfer Tekoa back to a Sea World facility. This happened shortly after Tekoa was once again injured due to the negligence of the LP trainers. Sea World has so far refused. But even more distressing, Corporate has no plans to replace Brian with a subsequent Sea World supervisor. As of April 30th, 2010, there is no higher authority guiding the well-being of those animals than Miguel Diaz, who has consistently failed to put the welfare of the animals and the safety of his employees first.