

January 5, 2024

*Via email*

Hon. Daniella Levine Cava  
Mayor, Miami-Dade County  
mayor@miamidade.gov

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PEOPLE FOR  
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**Re: Terminate Miami Seaquarium's Lease for Repeated and Critical Citations for Violating Federal Animal Welfare Laws**

Dear Mayor Levine Cava, Chairman Gilbert and Members of the Board of Commissioners:

I am writing on behalf of People for the Ethical Treatment of Animals (PETA) and its nearly 43,000 members and supporters in Miami-Dade County to urge you again to immediately terminate the Miami Seaquarium's lease in light of *yet another* United States Department of Agriculture (USDA) inspection report (IR) documenting that the conditions at the Seaquarium violate the bare minimum standards of the federal Animal Welfare Act (AWA), and citing the facility for thirteen violations. In the just-released IR, enclosed here as Exhibit A, the Seaquarium was cited for not providing appropriate veterinary care to a suffering manatee or dolphins showing signs of gastric distress, for not having an appropriate enrichment plan for a pair of macaws who had feather-plucked each other extensively and a lone parrot who had self-plucked, likely due to psychological distress, and was issued repeat citations for failing to maintain enclosures in good repair and inadequate staffing. For how much longer will the County enable the Miami Seaquarium's cycle of abuse?

PETA FOUNDATION IS AN OPERATING NAME OF THE FOUNDATION TO SUPPORT ANIMAL PROTECTION.

ENTITIES:

- PETA U.S.
- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)

As described in detail in our prior correspondence, attached here as Exhibit B:

- In October 2021, PETA urged the County Commissioners to deny assignment of the Miami Seaquarium lease to The Dolphin Company and instead terminate the lease in light of the USDA's 2021 IR, which documented more than thirty-five violations of the AWA. The Seaquarium was cited for, among other things, feeding animals rotten food, failing to provide enough food to maintain animals' health, ignoring the attending veterinarian's recommendations, and housing incompatible animals together resulting in injuries and deaths.
- In September 2022, the USDA issued another IR documenting that, among other issues, the Seaquarium starved animals to emaciation to force them to perform and disregarded the dolphins' subsequent aggression, putting trainers and guests at risk of physical harm.
- In September 2023, the USDA found the Seaquarium again failed to meet the minimum standards of care, violating the AWA. That IR revealed the Seaquarium failed to provide necessary equipment to ensure adequate veterinary care and treatment, ignored the attending veterinarian's recommendations, repeatedly failed to maintain enclosures in good repair to prevent animal injuries, failed to adequately handle animals during public interactions, failed to maintain an adequate number of trained staff, and more.

Since that time, the Seaquarium has continued to violate these standards.

As you know, Section 11 of the lease requires the Seaquarium to “keep the Demised Premises and all improvements and personal property thereon, exclusive of animals, in *a good state of repair and in a clean condition*, subject to damage or destruction by fire or other elements, ... and *shall maintain animals in accordance with federal laws and regulations*, including ... the *Animal Welfare Act* as applicable.” Under section 16(A), if the Seaquarium violates any of the lease conditions, the County “shall notify [the Seaquarium] in writing of said violations and [it] shall have forty-five (45) days from receipt of such notice to remedy said violations.” Under section 16(C), if any violations of the lease conditions are not remedied within that period, “the date upon which [the lease] shall terminate *shall be set by [the County.]*” (Emphases added.)

Pursuant to these terms, on November 1, the County finally issued the Seaquarium a notice of default for the violations documented in the September 2023 IR, which resulted from a July 2023 inspection. When that IR was issued, the USDA gave the Seaquarium until October 25, 2023, to correct its failure to have enough adequately trained employees or attendants. When the Seaquarium was again cited for failing to remedy the issue during a focused inspection on November 2, the County issued a separate notice of default to the facility. The new IR demonstrates that as of November 28, the Seaquarium's failure to have sufficient animal care staff had extended for more than four months.

The IR further establishes that the Seaquarium's failure to remedy its violations of the lease's conditions extend far beyond its failure to hire or retain sufficient staff. As detailed in the IR, the Seaquarium has: **failed to provide animals with adequate veterinary care**, including insufficiently examining a manatee exhibiting a progressive skin condition and not having an endoscope to examine several dolphins showing signs of gastric distress and abnormal samples; **inadequate staffing** that left the veterinarian postponing routine physical exams of hundreds of animals for *at least* eight months and leading to the general failure maintain enclosures and “the professional acceptable level of husbandry and handling practices”; **failed to document an appropriate enrichment plan** for birds engaged in the harmful practice of plucking their feathers, which is a sign of psychological distress;

**poor water quality** in sea lion and flamingo enclosures; and **failed to maintain facilities in good repair and a safe manner**, including rusting, flaking, crumbling, and/or broken areas in dolphin, penguin, and parrot enclosures, and poor air quality or ventilation causing black mold growth and noxious odors. It is beyond implausible that the Seaquarium would have remedied the extensive and critical animal care issues that had continued since before the USDA's July 2023 inspection within the *18 days* between the November 28 inspection and the end of the Seaquarium's 45-day cure period following the County's November 1 notice of default.

The Miami Seaquarium has again violated the lease's terms despite the County's promise of additional oversight to ensure humane animal care at the facility. It has received repeat violations for failing to maintain the enclosures in a good state of repair, subjecting the animals to safety and health risks. Over the past three years, including after its change in ownership and the lease was amended to require compliance, it has been issued dozens of citations for noncompliance with the AWA, including for egregious conduct that has resulted in severe animal injuries, illnesses, and death. It has surely failed to detect others due to inadequate veterinary care and staffing. The Seaquarium has proven unable or unwilling to operate lawfully, even amidst intense public scrutiny of the facility. The County must immediately proceed with terminating the facility's lease, ensuring that the remaining animals are removed from the Seaquarium's decrepit enclosures.

Very truly yours,



Jared Goodman  
Managing General Counsel  
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Enclosures