



February 8, 2022

Teri Rowles, DVM, Ph.D.  
Senior Advisor for Marine Mammal Health Science  
Office of Protected Resources, NOAA  
1315 East-West Highway  
13th Floor  
Silver Spring MD 20910

Dear Dr. Rowles:

Following of the USDA inspection of the Miami Seaquarium in June of 2021, and the subsequent USDA investigation which began in late 2021, it has come to light that there are a number of pressing concerns regarding Sk'aliCh'elh-tenaut/Tokitae/Lolita's health and inadequacies with her pool which is likely to require significant repairs and modifications. While it is critical that these repairs are made should a killer whale continue to be housed in the pool, the construction necessary may adversely impact the whale's health and wellbeing should she remain in the pool during the process. Therefore, it is important that she be safely able to be moved as soon as possible, whether within the Miami Seaquarium or to another facility.

Given the increasingly high level of public concern regarding the current health and care of Sk'aliCh'elh-tenaut/Tokitae/Lolita at the Miami Seaquarium, we would like to request that National Marine Fisheries Service require an independent evaluation of her current health and fitness for transport, whether to another facility or within Miami Seaquarium, using veterinary and behavioral expertise from outside the Miami Seaquarium.

We request that this independent party include both those from the captivity industry and those with applicable expertise working outside the captivity industry. We are prepared to offer a suggested group of experts for your consideration, as well as financial support for their expenses. We believe that outside expertise would provide increased trust and transparency at this crucial moment in her care.

As a federal agency entrusted with the protection of a critically endangered whale (as per the 2015 NOAA ruling which designated Sk'aliCh'elh-tenaut/Tokitae/Lolita as a member of the endangered southern resident killer whale Distinct Population Segment), we trust that you will take the necessary steps to safeguard her health and wellbeing during any habitat modifications at the Miami Seaquarium. Having an independent party evaluate her current health and fitness for transport is a critical step toward providing her with that protection.

Sincerely,

Charles Vinick  
Executive Director

Jeff Foster  
Whale Care and Transport Lead

**From:** Amy Sloan - NOAA Federal <amy.sloan@noaa.gov>  
**Subject:** revision  
**To:** Mary O'Brien  
**Sent:** May 9, 2023 4:14 PM (UTC-04:00)  
**Attached:** TokiTalkingPointMay9\_acs2.docx

Not sure if I'm in the right direction.

**From:** Amy Sloan - NOAA Federal <amy.sloan@noaa.gov>  
**Subject:** Toki TPs for Kim  
**To:** Mary O'Brien  
**Sent:** May 15, 2023 11:12 AM (UTC-04:00)  
**Attached:** MSQ FOT meeting Notes for Kim.docx

See Attached. Only Jolie will see these - I'll be presenting to Kim at 1 pm today.

**Amy Sloan**

*Deputy Chief, [Permits and Conservation](#)*

*Office of Protected Resources*

NOAA Fisheries | U.S. Department of Commerce

Mobile: 301-310-1062



**From:** Mary O'Brien - NOAA Federal <mary.obrien@noaa.gov>  
**Subject:** MSQ notes for Kim  
**To:** Amy Sloan - NOAA Federal  
**Sent:** May 15, 2023 11:53 AM (UTC-04:00)  
**Attached:** MSQ FOT meeting Notes for KimMO.docx