

MINUTES OF SPECIAL MEETING
OF THE BOARD OF PARKS AND RECREATION
HELD IN THE FLORAL HALL, VANDUSEN GARDENS
ON WEDNESDAY, JULY 31, 1996
AT 7:15 P.M.

PRESENT:	Chair	- David Chesman
	Vice-Chair	- Alan Fetherstonhaugh
	Commissioners	- Allan DeGenova
		- Tim Louis
		- Donna Morgan
	General Manager	- Vic Kondrosky
	Information Assistant	- Carol DeFina
	Recording Secretary	- Barbara Hammond

The purpose of the meeting was to continue the public debate started at the Board's meeting of April 10, 1996 on the issue of whales in captivity.

Commissioner Chesman advised that he had received a memo from City Legal which stated the Board did have by-law making powers. Commissioner Chesman noted that just because the Park Board has the ability to make by-laws it didn't answer the further question of whether the Board "ought to" make a new by-law.

Delegations:

1. ANNELOISE SORG, NO WHALES IN CAPTIVITY - Urged the Commissioners not to allow any whales to remain in captivity.
2. PETER HAMILTON, LIFEFORCE - Noted that LifeForce is active in many cities pressing for by-laws to prevent captivity of whales. Research in captivity cannot be extrapolated to whales in the wild. Believes the Vancouver Aquarium has consistently misled the public. The public can enjoy Orcas in the wild by taking tours.
3. DR. COURT MACKENZIE, PRIVATE CITIZEN - Does not want any more whales in captivity. Likes the by-law and the idea of grandfathering existing whales.
4. JEAN MACKENZIE, PRIVATE CITIZEN - Not proud of the current situation. Wants by-law passed.
5. ELEANOR HADLEY - Absent
6. KIRK ELLIOTT, VAN. BUSINESS MAN - Favours proposed by-law. Believes the Parks Board has been operating on the Victorian era model where possession of trophies was important. Does not believe it is educational for young people to see whales in tiny holding tanks swimming in circles. Objects to Vancouver Aquariums' impression that they have environmental success

stories, it is not true.

7. DR. JOHN NIGHTINGALE, VANCOUVER AQUARIUM - Stated that for 40 years the Vancouver Aquarium has been looking after animals. The proposed by-law would severely limit their ability to continue caring for the whales. Aquarium has pledged never to capture any more whales. All scientists agree whales cannot be released into the wild, they simply cannot adjust. Small special interest groups are causing all the problems. Aquarium's mandate is clear--take better care of the whales Our commitment is to conservation, research and education. We will oppose anything that will limit our ability to look after the whales.
8. CLINT WRIGHT, VANCOUVER AQUARIUM, CURATOR OF MARINE ANIMALS Has dedicated his life to his work. Cares very deeply for all marine animals. By-law that would prevent animals from being moved from one facility to another would not be in the best interest of the whales.
9. TOM ENGLISH, VANCOUVER AQUARIUM, CHAIRMAN - Questioned the Board's mandate to make such a by-law. Does not think the Board is dealing in good faith. Believes the Park Board and the Aquarium should work together to resolve issues.

Ques: Commissioner Louis - You said the Park Board doesn't have the mandate, you are correct. Would you support a referendum to the public as to whether we had such a mandate?

Ans: The question is whether the Park Board wants to do their job and not refer difficult matters to referendum.

Ques: Commissioner Louis - Would you enter into a legally binding contract with other aquariums who supplied you with whales? Would you request that they not go out to replace their whale by capturing another?

Ans: Dr. Nightingale - No aquarium would stand for a third party legal binding commitment.

Ques: Commissioner Chesman: - Mr. English you said the by-law would not be an act of good faith and we should work together on problems, does that include the whales?

Ans: Tom English - Yes. We are prepared to meet with the parks Board in order to make Stanley Park an attraction for everybody.

10. DAVID BARR - Absent
11. ELEANOR BOYLE, ECOLOGY INSTRUCTOR - Supports by-law but wants Board to gauge wide spread public opinion. Doesn't agree that a few extremists are the problem. Suggests Board pay minimal attention to letter writing. Wants a market survey done.

12. LYLE JOHNSON - Thinks the Parks Board should seize this opportunity to make a positive opposition to phasing out the practise of whales in captivity.
13. LEA JOHNSON - Believes keeping whales in captivity only demonstrates our ignorance of the living world. Referendum is a hypocrisy. Pass the by-law.
14. DEBRA PROBERT, VANCOUVER HUMANE SOCIETY - Executive Director. Says her supporters tell her there has been enough education where the whales are concerned. Supports releasing the whales.
15. JEFFREY JONES BLOOM - Demonstrated sounds Orcas make. Discussed the history of some of the whales in captivity. Wants by-law passed and whales returned to the wild.
16. SARAH RUSS, CITIZEN - Believes any benefits of having the whales is outweighed by their suffering.
17. DR. WEINBERG, PACIFIC ORCA SOCIETY - Believes research on whales is flawed. Extrapolation of findings in a whale pool cannot be conclusive and could have grave consequences if information used. Compared humans who have been in isolation saying they become depressed, aggressive and their motor coordination becomes faulty. Said all animals need stimulation in order to give meaningful feedback.
18. LINDA MATHEW - Brought three children with her to the podium who DON'T go to the Aquarium. Believes keeping the whales under the guise of research is wrong.
19. TERRY CHRISTENSEN - Supports Dr. Weinberg.
20. MARY CUNNINGHAM - Absent
21. ANN BRACKLEY, CONCERNED CITIZEN - Completely supports ban on any new whales. Says she is surprised and disappointed with Dr. Nightingale's answers about education.
22. LAWRENCE BALDWIN - Empathizes with the Aquarium personnel and their loss of income closing the Aquarium would bring. Doesn't want to see whales do tricks. Interviewed several children at a swimming pool and recorded their comments about keeping the whales locked up. All of the children's responses were against keeping the whales in captivity.
23. ANDREW CAPEAU - Supports by-law. Believes there are too many people fence sitting. Said the Aquarium is a business and 90% of the income is because of the whales.
24. JIM HARVEY, Speaking of behalf of the FRIENDS OF STANLEY PARK - Keeping the whales in the park is the same as prostituting the whales. Believes the Aquarium should be phased out and the whales released. Said the Board should levy 50 cents on each admittance

and give it to the Free Willy group. Said any politician who allows more whales will not be a politician long. Do your job and be the stewards you are. Phase out the whales in a humane way.

25. PETER WATSON, CITIZEN - This is an opportunity for the Board to demonstrate leadership. Use multi-media as the solution.
26. ANGELA HOGAN - Spoke at the April meeting. Said they are not a small interest group and they have a big voice.
27. MARK GARSIDE - Glad the Board is sincere and very interested in solving problem. Supports by-law.
28. CATHERINE GARSIDE - Supports by-law.
29. LIZ WATRICH - Spoke at April meeting. Believes there has been enough talking.
30. HARLEY ROTCHSTEIN - He is a history educator and has noticed a dramatic change in values towards keeping whales in captivity.
31. CHRISTINA TOMAS - Against whales in captivity. Wants to prevent importation of whales and dolphins.
32. CHRISTINE SCHRAM, RAINFOREST REPTILE REFUGE - Feels sad seeing animals locked up. No matter how nice you make whale pools they are still a prison. Suggests turning whale pools into a turtle sanctuary.
33. DEBRA RYAN, SELF SUPPORTING BUSINESS WOMAN - Dr. Nightingale and his colleagues do not espouse the same values as she does. Claims she pays fair market value for her shop on Robson Street and Dr. Nightingale doesn't. Says the by-law is necessary because she does not trust the Aquarium's future being left in Nightingale's hands.
34. KEN TOMAS - Absent
35. LEE MATUGA - Absent
36. ELISA JARDINE - Absent
37. TONY OOR, BAKER - Has to be up at 3:00 a.m. to deliver bread in Port Coquitlam but felt meeting more important than sleep. Wants Board to accept nature the way it is and stop research. Supports by-law.
38. NAOKO TAKATA, VISITOR - He is here for one year on a work program. Said if there are things Aquarium can only know by keeping whales in captivity, maybe we don't need to know those things.

40. SHEILA PHILIPS - Believes the meeting is one-sided. Said people at the Aquarium are equipped to care for the animals. Doesn't believe that people in attendance appreciate the people they have working for them.
41. AUSTIN RAND, COMMODITIES BROKER - Keeping whales in captivity is cruel. Believes the Aquarium people are not too far divided from the activists.
42. DAVID ???, Speaking on behalf of Eleanor Hadley who was absent (#5 speaker) - They have watched the Park Board vacillate for 40 years. Thinks the Park Board can't make the decisions they were paid to do. Said the Aquarium staff are only worried about their jobs and they should be given early retirement. Urged the Board to act on what they had heard throughout the evening.

MOTION

Moved by Commissioner Morgan,

That the Board ask the City Legal Department to prepare the following amendment to the Parks By-law for the Board's consideration at a special meeting on September 16, 1996:

"No person shall bring into any park or keep or otherwise maintain in any park any aquatic mammal of the Cetacean order including, but not limited to, baleen whales, narwhals, dolphins, porpoises, killer whales and beluga whales except that this prohibition shall not apply to the keeping or maintenance of any whale, narwhal, killer whale or porpoise which is already being kept or maintained in a park as of (the date of the passing of this by-law)."

CARRIED UNANIMOUSLY

Moved by Commissioner Chesman,

THAT the motion be amended to include that a proposal from the Aquarium is requested prior to September 16, 1996 concerning the following:

- i) A plan to phase out whales in captivity; and
- ii) A plan for the resolution of all outstanding issues between the Park Board and Aquarium: transportation,

parking, education centre and food services.
and,

THAT groups such as Lifeforce, Vancouver Humane Society, No Whales in Captivity and others are requested to submit written proposals to the Park Board prior to September 16, 1996, concerning the phase-out of whales and how that would be accomplished.

CARRIED UNANIMOUSLY

The main motion, as amended, was put as follows:

1. That the Board ask the City Legal Department to prepare the following amendment to the Parks By-law for the Board's consideration at a special meeting on September 16, 1996:

"No person shall bring into any park or keep or otherwise maintain in any park any aquatic mammal of the Cetacean order including, but not limited to, baleen whales, narwhals, dolphins, porpoises, killer whales and beluga whales except that this prohibition shall not apply to the keeping or maintenance of any whale, narwhal, killer whale or porpoise which is already being kept or maintained in a park as of (the date of the passing of this by-law)."

2. THAT a proposal from the Aquarium is requested prior to September 16, 1996 concerning the following:

- i) A plan to phase out whales in captivity; and

..../contd.

- ii) A plan for the resolution of all outstanding issues between the Park Board and Aquarium: transportation, parking, education centre and food services.

3. THAT groups such as Lifeforce, Vancouver Humane Society, No Whales in Captivity and others are requested to submit written proposals to the Park Board prior to September 16, 1996, concerning the phase-out of whales and how that would be accomplished.

CARRIED UNANIMOUSLY.

V. Kondrosky
General Manager

Commissioner David Chesman
Chair

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