

CITY OF SEATTLE
ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to the Woodland Park Zoo; adopting an acquisition and disposition policy relating to the Zoo elephants; barring the transfer of the Zoo elephants to any other zoo; requiring that if the elephants are transferred that such transfer shall be to the Performing Animal Welfare Society elephant sanctuary in San Andreas, California.

..body

WHEREAS, in 2013, the Board of Directors of the Woodland Park Zoo (WPZ) formed a Task Force on the Woodland Park Zoo Elephant Exhibit and Program for the purpose of “conducting a data-driven, objective review of the zoo’s elephant program, exhibit and current elephant welfare and to produce a report to the board;” and

WHEREAS, on October 22, 2013 the Task Force issued its written report; and

WHEREAS, among other things, the majority of the Task Force concluded that “although the elephants are healthy and staff provide good care, continuing the exhibit and program as it currently functions is not viable for the long term and changes are needed to advance the WPZ’s mission;” and

WHEREAS, the majority of the Task force found that “Overall, the behavioral health and social wellbeing of the three elephants is good. None of the elephants shows signs of significant distress, frustration, or pathology. Of some concern, however, are the social isolation of Bamboo and Watoto and moderate to mild occurrences of repetitive behaviors;” and

WHEREAS, the majority of the Task Force also found that “The Task Force concurs with the [Task Force’s Expert Review Panel] ERP finding that the social wellbeing of the current herd may be improved if Watoto and Bamboo can be safely integrated. (Watoto exhibits

1 aggressive behavior toward Bamboo.) The separation of these two elephants is well-
2 intentioned, but has created significant limitations on the use of yard and barn space.

3 These limitations would be significantly reduced if all three elephants could be managed
4 as a single social grouping. A healthy, integrated herd could allow more flexible use of
5 yard and barn, which would help support good foot health, exercise, weight/body
6 condition and provide additional social and behavioral benefits.”

7 WHEREAS, the majority of the Task Force recommended two long-term options: 1) create a
8 multi-generational herd with an effective breeding program at the zoo, or 2) improve the
9 existing exhibit but allow current elephants to age out or retire at the appropriate time;
10 and

11 WHEREAS, the majority of the Task Force stated that “if neither option are implemented, the
12 Task Force believes that a closure plan should be seriously considered by the WPZ
13 Board;” and

14 WHEREAS, a minority of the Task Force found that “Watoto, Chai and Bamboo cannot be
15 ‘active’ within the confines of the existing exhibit, where the outdoor area is
16 approximately one acre, and each elephant has access to only a part of that acre;” and

17 WHEREAS, a minority of the Task Force also found that “ If Chai, Watoto and Bamboo cannot
18 be safely reintegrated, WPZ should consider transferring one or more of the elephants to
19 an elephant sanctuary with no current or recent history of active TB [tuberculosis];” and

20 WHEREAS, a minority of the Task Force also found that “there is insufficient evidence that
21 creating a multi-generational herd would cure the repetitive behaviors of Chai, Watoto, or
22 Bamboo. African elephants in the wild *do* live in matriarchal herds, but it is
23 unreasonable to think natural conditions can be re-created in a zoo environment;” and

1 WHEREAS, the minority of the Task Force also found that “Having a larger space and an
2 improved enrichment program might address repetitive behaviors more effectively than
3 creating a multi-generational herd;” and

4 WHEREAS, the minority of the Task Force also found that “If improvements to the WPZ
5 elephant program and exhibit cannot be done expeditiously for the benefit of Watoto,
6 Chai and Bamboo, WPZ should consider transferring the elephants to an elephant
7 sanctuary without the presence of active TB.”

8 WHEREAS, the WPZ Board attempted to locate additional Asian elephants to implement the
9 first option recommended by the majority of the Task Force but concluded that creating a
10 multi-generational herd at the Zoo was not realistic in the near future; and

11 WHEREAS, the WPZ Board ultimately decided to relocate the elephants Bamboo and Chai; and

12 WHEREAS, the WPZ considered the Performing Animal Welfare Society (“PAWS”) facility
13 located in California, but as of October 2014, the female Asian herd at the PAWS facility
14 were under quarantine for tuberculosis (TB) and no new elephants could be introduced
15 into that area; and

16 WHEREAS, the PAWS facility at the time did not have barns or yards available for Bamboo and
17 Chai; and

18 WHEREAS, because PAWS was not suitable at the time, the WPZ Board decided against the
19 findings of the minority of the Task Force, and decided that Bamboo and Chai should be
20 transferred to the Oklahoma City Zoo, and

21 WHEREAS, two Asian female elephants were euthanized at PAWS, leaving only one female
22 Asian elephant; and

1 WHEREAS, on April 8, 2015, PAWS wrote a letter addressed to Councilmember Kshama
2 Sawant, stating that PAWS currently has a 14,000 square foot barn that houses a 21-
3 year-old Asian bull elephant which contains a training area for husbandry and veterinary
4 care, that half of the barn could be dedicated to Chai and Bamboo, but that the half, as
5 well as the perimeter fencing for 15 acres of wooded land, would need to be completed
6 prior to the arrival of Chai and Bamboo or any other elephants; and

7 WHEREAS, PAWS indicated in its letter that it already secured \$500,000 in pledges for the
8 building project and estimated that it will take a minimum of six months to complete; and

9 WHEREAS, the City Council believes that if there is any doubt regarding the health, welfare and
10 social wellbeing of the elephants, as expressed by the minority of the Task Force, all such
11 doubt should be eliminated in favor of protecting the elephants from further harm; and

12 WHEREAS, the City Council believes that if there is uncertainty that creating a multi-
13 generational herd in a zoo setting would cure the repetitive behaviors of Chai, Watoto, or
14 Bamboo or the aggressive behavior of Watoto towards Bamboo, then the minority's
15 recommendation that one or more of the elephants be transferred to a sanctuary currently
16 free of TB should be followed; and

17 WHEREAS, the City Council believes that the funding that PAWS has secured, along with its
18 commitment to care for Chai and Bamboo, and the fact that it is free of TB makes it
19 appropriate for Chai and Bamboo to be transferred to the PAWS sanctuary in San
20 Andreas, California;

21 WHEREAS, in 2001, the City of Seattle entered into an Operations and Management Agreement
22 ("Agreement") with the Woodland Park Zoological Society ("Society") under which the

1 Society agreed to take over the operation and management of the Woodland Park Zoo,
2 including the ownership of and care of the Zoo Animals; and

3 WHEREAS, Section 15.3 of the Agreement provides that “The acquisition, sale or other
4 disposition of Zoo Animals shall be made in strict accordance with (a) all applicable
5 federal, state or local laws, regulations and policies, (b) the guidelines and policies of the
6 AZA, and (c) existing and any adopted acquisition and disposition policies approved by
7 the City;” and

8 WHEREAS, the City Council believes it is appropriate to adopt an acquisition and disposition
9 policy under which the Zoo elephants should not be transferred to a zoo but rather to the
10 PAWS Elephant Sanctuary in San Andreas, California;

11 NOW, THEREFORE;

12 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

13 Section 1. The City of Seattle adopts the Acquisition and Disposition Policy contained in
14 Attachment A to this Ordinance, pursuant to Section 15.3 of the Woodland Park Zoo Operations
15 and Management Agreement, dated December 17, 2001, and approved by Ordinance 120697.

16 Section 2. The City Attorney shall have the authority to take all appropriate legal action
17 to enforce and/or defend the terms of the Acquisition and Disposition Policy.

18 Section 3. The City Council requests that the City Attorney take any action that the City
19 Attorney deems appropriate to enforce the Acquisition and Disposition Policy, including the
20 determination of whether both civil and criminal remedies might be appropriate.

21 Section 4. This ordinance shall take effect and be in force 30 days after its approval by
22 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
23 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

1 Passed by the City Council the ____ day of _____, 2015, and
2 signed by me in open session in authentication of its passage this
3 ____ day of _____, 2015.

4 _____
5 _____
6 President _____ of the City Council

7 _____
8 Approved by me this ____ day of _____, 2015.

9 _____
10 _____
11 Edward B. Murray, Mayor

12 _____
13 Filed by me this ____ day of _____, 2015.
14 _____
15 _____
16 Monica Martinez Simmons, City Clerk

17 _____
18 _____
19 (Seal)

20 Attachment A