

SeaWorld suing California over ban on orca breeding

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In this Nov. 30, 2006, file photo, people watch through glass as a killer whale swims by in a display tank at SeaWorld in San Diego. SeaWorld filed a lawsuit Tuesday, Dec. 29, 2015, challenging a California commission's ruling that bans the company from breeding captive killer whales at its San Diego park. (AP Photo/Chris Park, File)

SeaWorld filed a lawsuit Tuesday challenging a California commission's ruling that bans the company from breeding captive killer whales at its San Diego park.

The suit filed in San Diego County Superior Court says the California Coastal Commission was outside its authority when it made the ruling on breeding in October.

The commission endorsed a \$100 million expansion of the tanks known as "Blue World" that SeaWorld uses to hold [orcas](#), but in a surprising and serious blow to the park, included a ban on breeding at the planned facility and prohibitions on the sale, trade or transfer of the whales.

The commission had to approve the project as it does all major building plans in coastal cities, but the park's attorneys argued the agency's authority should have ended with the structure itself.

"This last-minute 'no breeding or transfer' condition is unprecedented," SeaWorld said in the [lawsuit](#), which claims the commission's action is illegal because it has no jurisdiction over the orcas.

"The orcas are not, in any way, part of the coastal or [marine environment](#)," the lawsuit says. "All of SeaWorld's activities with respect to the care, breeding and transportation of orcas occur onshore in the orca pools and not in the marine environment and are specifically governed by federal law."

Noaki Schwartz, spokeswoman for the Coastal Commission, said the agency could not comment on the particulars of the lawsuit, but the commission said in a statement that it "stands by its decision in October to protect [killer whales](#)."

People For the Ethical Treatment of Animals, the main group opposing the project, said in a statement Tuesday that the commission was within its rights and made the correct decision.

"It's clear that the company's primary intention in pursuing the Blue

World Project was to breed more orcas to confine to tanks," PETA said in a statement.

SeaWorld said in October that it would challenge the decision and that it had hired attorneys to examine it but did not give specifics before filing the lawsuit Tuesday.

Last month, the Orlando, Florida-based company said it would end theatrical orca shows at the San Diego park after visitors at the tourist attraction made it clear they prefer seeing killer whales act naturally rather than doing tricks.

The shows will continue at the company's Orlando and San Antonio parks, which are not affected by the [breeding](#) ban.

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