



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

FISH & WILDLIFE

Wildlife Permits Unit

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January 31, 2025

VIA PERSONAL SERVICE

Attn: Dennis Ferreira
c/o SeaQuest Woodbridge, LLC
250 Woodbridge Center Drive
Woodbridge, New Jersey 07095

ADMINISTRATIVE ORDER AND NOTICE OF REVOCATION

Exotic and Nongame Animal Exhibitor Permit 2024-1309

Exotic and Nongame Endangered Species Permit 2024-1312

Dear Mr. Ferreira:

The New Jersey Department of Environmental Protection (“DEP” or “Department”), Fish and Wildlife (“NJFW”) has determined that SeaQuest Woodbridge, LLC (“SeaQuest”) has violated the Endangered and Nongame Species Conservation Act, N.J.S.A. 23:2A-1, et seq., and the regulations promulgated pursuant thereto (“Exotic and Nongame Wildlife Regulations”). N.J.A.C. 7:25-4, et seq. Accordingly, the Department is issuing this Administrative Order and providing formal notice of revocation of SeaQuest’s Exotic and Nongame Animal Exhibitor Permit (2024-1309) and Exotic and Nongame Endangered Species Permit (2024-1312). The Department relies on its findings, below, setting forth the reasons for this Administrative Order and Notice of Revocation. N.J.A.C. 7:25-4.12(a).

FINDINGS

Regulatory Structure

1. The Endangered and Nongame Species Act provides that when a person violates any provision of the statute “or any rule or regulation adopted, or permit or order issued pursuant thereto, the commissioner may issue an order (1) specifying the provision or provisions of [the Endangered and Nongame Species Act], or the rule or regulation, or order or permit issued pursuant thereto, of which the person is in violation; (2) citing the action that constituted the violation; (3) requiring compliance with the provision of [the Endangered and Nongame Species Act], the rule or regulation, or order or permit issued pursuant thereto, of which the person is in violation; (4) requiring the restoration to address any adverse effects resulting from the violation; and (5) giving notice to the person of a right to a hearing on the matters contained in the order.” N.J.S.A. 23:2A-10(b).
2. The Exotic and Nongame Wildlife Regulations provide that “no person shall possess any nongame species or exotic species of any mammal, bird, reptile or amphibian unless such person has first received both the appropriate permit from the Department” as well as any other State, municipal, or Federal approvals. N.J.A.C.

7:25-4.2(a).

3. The Exotic and Nongame Wildlife Regulations further provide that the “Department shall, upon written notice to the permittee, revoke any permit listed in N.J.A.C. 7:25-4.6(a) issued to any person who ceases to consistently meet the eligibility criteria for that particular permit and may, in its discretion, seek an order from the Director [of NJFW] or a court of competent jurisdiction allowing immediate removal of any animal possessed under that permit. Written notices of violation against a permittee shall set forth the terms of the permit or the regulation which the Department alleges the permittee has violated and the penalty sought. Notices of violation shall be brought and if not settled, contested, pursuant to the Administrative Procedure Act, N.J.S.A. 52:14-1 et seq., or the rules of the court with jurisdiction over the claim of violation.” N.J.A.C. 7:25-4.2(a).
4. The Exotic and Nongame Wildlife Regulations further provide that “Upon written notice to the permittee, the Department may revoke all Division-issued permits described in N.J.A.C. 7:25-4.6(a) upon a finding that in any five-year period, two or more violations of any permit condition or any regulations appearing in this subchapter have occurred.” N.J.A.C. 7:25-4.2(d).

Background

5. SeaQuest operates a zoo and aquarium facility in Woodbridge Township, Middlesex County, New Jersey. SeaQuest possesses both a Department issued Exotic and Nongame Animal Exhibit Permit (2024-1309) and Exotic and Nongame Endangered Species Permit (2024-1312) (“Permits”). SeaQuest must re-apply for these Permits annually.
6. The Permits require SeaQuest to submit various reports on quarterly and annual bases. See Exotic and Nongame Endangered Species Permit Condition 8; Exotic and Nongame Animal Exhibit Permit Conditions 20 and 22. Department inspectors have identified numerous violations during their review of the reports that SeaQuest is required to submit pursuant to its Permits.
7. As a permit-holder, and consequently a regulated entity, the Department regularly inspects SeaQuest to ensure it is complying with its Permits Conditions and the Exotic and Nongame Wildlife Regulations. The Department has conducted inspections on numerous dates including, but not limited to, November 7, 2019, January 7, 2020, June 24, 2021, August 25, 2022 August 24, 2022, September 19, 2023, December 20, 2023, June 5, 2024, June 6, 2024, and September 18, 2024. Department inspectors have observed and documented violations during these inspections.
8. The Department has received over 3,500 complaints since 2019, many anonymous, and some from former SeaQuest employees, regarding potential violations at SeaQuest, including but not limited to complaints of poor husbandry practices for its regulated animals. Additionally, the Department has reviewed photographs and videos posted on SeaQuest’s website and on public social media websites where Department inspectors have observed violations.
9. On April 14, 2020, the Department issued a Notice of Violation (“NOV”) finding that SeaQuest lacked health certificates for several animals that it had imported, which are members of regulated species that require health certificates prior to entering New Jersey, in violation of Permit Condition 20. N.J.A.C. 7:25-4.2(a).
10. On June 25, 2024, the Department issued a Final NOV to SeaQuest concluding that SeaQuest had violated ten (10) provisions of the Exotic and Nongame Wildlife Regulations and two (2) permit conditions.



Factual Findings

11. The Department adopts the factual findings of both NOVs, as well as the numerous inspections it conducted, which are all set forth in the following paragraphs. Therefore, the Department concludes that SeaQuest has engaged in multiple violations of the Exotic and Nongame Wildlife Regulations and permit conditions.
12. The Department's findings of fact as stated in the June 25, 2025 Final NOV are as follows:
 - a. The Exotic and Nongame Wildlife Regulations require that “[p]rior to the issuance of any permit permitted by these regulations, every applicant shall, on the forms provided by the Department, demonstrate that... [t]he animal is housed or caged in a manner that... [p]revents disease, liberation or accidental injury to the animal and the public[.]” N.J.A.C. 7:25-4.7(a)2.ii.

Failure to Prevent Injuries to Animals

- i. Between November 2021 and August 2023, numerous photographs were taken by two former SeaQuest employees and submitted to the Department on May 19, 2023 demonstrating that SeaQuest housed two Asian water monitors in the same enclosure, and that the Asian water monitors had injuries that included lacerations, abrasions, and burns. Ultimately, two Asian water monitors were euthanized at veterinary recommendation. Department inspectors found that these injuries were caused by SeaQuest improperly housing multiple Asian water monitors in the same enclosure, when they should be housed separately, and improperly placing a heating lamp too close to the animals, causing burn injuries.
- ii. Between August 2021 and August 2022, photographs were taken by two former SeaQuest employees and submitted to the Department on May 19, 2023 demonstrating that that SeaQuest housed giant day geckos together in a horizontal tank, and that the geckos had injuries, including lacerations so deep that their organs were visible. Department inspectors found that these injuries were caused by SeaQuest improperly keeping the geckos housed together in a horizontal enclosure. Their enclosures should be vertically oriented to allow for climbing and other natural behavior patterns and they should be kept individually or in pairs. Department inspectors found that both the improper orientation of the enclosure and overcrowding of the geckos facilitated fighting between the geckos and caused their injuries.
- iii. On May 20, 2022, photographs were taken by two former SeaQuest employees and submitted to the Department on May 19, 2023 demonstrated that SeaQuest had overstocked the Geyr's uromastyx tank, and that at least one uromastyx had died due to fighting with another uromastyx due to the small size of the enclosure.

Failure to Prevent Liberation

- iv. In a video taken by SeaQuest employees on July 20, 2021 and submitted to the Department on May 19, 2023 and January 29, 2024, Department inspectors found an Asian small-clawed otter escaped its enclosure. Department inspectors found that the otter's sleep box was not locked, and the door was unlatched, allowing the otter to escape and allowing access by members of the public.



- v. On May 19, 2023, the Department learned that former SeaQuest employees had reported the following: on October 8, 2021, several giant day geckos escaped their enclosure; on November 28, 2021, a prehensile porcupine escaped its enclosure; on December 22, 2021, several giant day geckos again escaped their enclosure; on August 12, 2022, several giant day geckos again escaped their enclosure.

Failure to Prevent Disease

- vi. On May 19, 2023, the Department received a report from former SeaQuest employees that SeaQuest kept the Asian water monitor enclosure too arid. An Asian water monitor's enclosure should be 60-70% humidity, but SeaQuest kept the humidity at 40-60%. Improper humidity can facilitate bacterial and fungal infection.
- vii. On May 19, 2023, the Department received a report from former SeaQuest employees that SeaQuest kept the Linnaeus's two-toed sloth's enclosure too arid. A Linnaeus's two-toed sloth's enclosure should be 60-80% humidity, but SeaQuest kept the humidity at 40-60%. Improper humidity can cause the sloth's digestive system to shut down.
- viii. On May 19, 2023, the Department received a report from former SeaQuest employees that SeaQuest kept the red-eyed tree frog's enclosure too arid. A red-eyed tree frog's enclosure should be 60-80% humidity, but SeaQuest kept the humidity at 40-50%.
- ix. In photographs taken by two former SeaQuest employees on February 26, 2022, submitted to the Department on May 19, 2023, Department inspectors observed photographs depicting a frilled dragon with mouth rot.
- x. On May 19, 2023, the Department learned that former SeaQuest employees had reported that, on September 12, 2022, SeaQuest kept a reticulated python's enclosure temperature too hot. A reticulated python's enclosure should be between 74 and 92 degrees depending on time of day, and the temperature was 100 degrees in SeaQuest's enclosure. Overheating can cause burns, listlessness, exhaustion, lethargy, and loss of appetite.
- xi. On May 19, 2023, the Department learned that former SeaQuest employees had provided photographs taken on September 25, 2022 depicting a blue tongue skink with injured toes from stuck shed, which is a consequence of poor temperature and humidity and can cause fatal infection.
- xii. On May 19, 2023, the Department learned that former SeaQuest employees had provided photographs taken on October 15, 2022 depicting a panther chameleon with mouth rot.
- xiii. During a routine inspection on April 5, 2024, Department inspectors found that SeaQuest possessed an axolotl – a critically endangered species according to the International Union for Conservation of Nature (“IUCN”) – that had an infection on its hind leg. SeaQuest subsequently euthanized this animal on April 18, 2024.



Conclusion

From these factual findings, the Department concludes that SeaQuest has engaged in sixteen (16) violations by failing to keep these animals “housed or caged in a manner that... prevents disease, liberation or accidental injury to the animal and the public” in violation of N.J.A.C. 7:25-4.7(a)2.ii.

- b. The Exotic and Nongame Wildlife Regulations require that “[p]rior to the issuance of any permit permitted by these regulations, every applicant shall, on the forms provided by the Department, demonstrate that... [t]he animal is housed or caged in a manner that... Allow the animal to perform the normal behavior patterns of its species[.]” N.J.A.C. 7:25-4.7(a)2.i.
 - i. On August 24, 2022, during a routine inspection of SeaQuest, Department inspectors observed in person that SeaQuest kept three South American coatimundi housed in a medium-sized dog crate, which resulted in overcrowding, and did not provide enough space for the animals to perform their natural behavior patterns of the species. Department inspectors took photographic evidence of this incident.
 - ii. On August 24, 2022, during an inspection of SeaQuest, Department inspectors observed in person that SeaQuest kept 15 giant day geckos housed in a horizontally oriented 20-gallon tank too small for the number of geckos. Pursuant to industry standards, giant day geckos should be housed individually or in pairs. Additionally, on May 19, 2023, Department inspectors learned that former SeaQuest employees had reported that the geckos’ housing was causing aggressive behavior due to their inability to engage in their normal behavior patterns.

Conclusion

From these factual findings, the Department concludes that SeaQuest has engaged in two (2) violations by failing to keep these animals “housed or caged in a manner that... allow[s] the animal[s] to perform the normal behavior patterns of [their] species.” N.J.A.C. 7:25-4.7(a)2.i.

- c. The Exotic and Nongame Wildlife Regulations require “[p]rior to the issuance of any permit permitted by these regulations, every applicant shall, on the forms provided by the Department, demonstrate that... [t]he animal is free of infectious disease and parasites which may be dangerous to the animal, livestock or people of the State[.]” N.J.A.C. 7:25-4.7(a)5.
 - i. On or before December 28, 2021, SeaQuest obtained nine assorted turtle species with shell rot. Department inspectors reviewed numerous photographs taken at SeaQuest between December 28, 2021 and September 26, 2022 that demonstrated shell rot on the turtles.
 - ii. In photographs taken by two former SeaQuest employees between December 28, 2021 and September 26, 2022 and submitted to the Department on May 19, 2023, Department inspectors found that the shell rot from the nine turtles had spread to other turtles housed by SeaQuest by September 2022.
 - iii. On January 26, 2024, the New Jersey Department of Health, Communicable Disease Service contacted the Department to advise that necropsies of several of the nine turtles demonstrated the existence of *Mycobacteria sp.*, which is categorically a bacterial genus of zoonotic



concern. If not properly mitigated, the species within this genus can spread to people and other animals and make them ill. On January 29, 2024, NJFW recommended to SeaQuest in a letter sent via email that they temporarily suspend all public interactions with regulated wildlife for a period of 120 days to help prevent the spread of the bacteria. However, SeaQuest did not follow this recommendation.

- iv. During a routine inspection conducted by the Department on March 13, 2024, SeaQuest advised the Department that per veterinary recommendation, all aquatic turtles at SeaQuest were euthanized to prevent the spread of *Mycobacteria sp.*

Conclusion

From these factual findings, the Department concludes that SeaQuest has engaged in three (3) violations by failing to keep their animals “free of infectious disease and parasites which may be dangerous to the animal, livestock or people of the State[.]” N.J.A.C. 7:25-4.7(a)5.

- d. The Exotic and Nongame Wildlife Regulations require “[p]rior to the issuance of any permit permitted by these regulations, every applicant shall, on the forms provided by the Department, demonstrate that... [t]he animal shall receive prompt treatment for any illness or injury from a licensed veterinarian[.]” N.J.A.C. 7:25-4.7(a)4.
 - i. Between January 8, 2021 and July 4, 2022, numerous photographs were taken by two former SeaQuest employees and submitted to the Department on May 19, 2023 demonstrated that a red-and-green macaw possessed by SeaQuest exhibited a progression of severe feather plucking. On September 19, 2023, during a routine inspection of SeaQuest, Department inspectors requested documentation affirming SeaQuest’s position that the severe plucking was not concerning, but SeaQuest failed to provide the documentation.
 - ii. On July 10, 2021, a photograph taken by a former SeaQuest employee and submitted to the Department on May 19, 2023 demonstrated a reticulated python possessed by SeaQuest with a growth at the site of an intramuscular injection. The former SeaQuest employee reported that the injection was provided by SeaQuest staff, not a licensed veterinarian. Department inspectors requested documentation regarding the treatment of this animal, but SeaQuest failed to provide the documentation.
 - iii. On July 13, 2021, a photograph taken by a former SeaQuest employee and submitted to the Department on May 19, 2023 demonstrated a blue tongued skink possessed by SeaQuest with a bubbling in its eye. The former employee reported that the bubbling was caused by an infection. The Department requested documentation regarding the treatment of this animal, but SeaQuest failed to provide veterinarian documents that described the infection.
 - iv. On September 30, 2021, a photograph taken by a former SeaQuest employee and submitted to the Department on May 19, 2023 demonstrated that a reticulated python possessed by SeaQuest with its mouth ajar, which suggests a respiratory infection. Department inspectors requested documentation regarding the treatment of this animal, but SeaQuest failed to provide the documentation.



- v. On July 14, 2022, photographs taken by former SeaQuest employees and submitted to the Department on May 19, 2023 demonstrated callouses on the feet of three South American coatimundi that SeaQuest was housing in a dog crate. These are the same animals that Department inspectors observed in a dog crate during a routine inspection on August 23, 2022 as referenced in Paragraph 12.b.i. above. Department inspectors requested documentation regarding the treatment of these animals, but SeaQuest failed to provide the documentation.

Conclusion

From these factual findings, the Department concludes that SeaQuest has engaged in five (5) violations by failing to ensure that their animals “receive prompt treatment for any illness or injury from a licensed veterinarian[.]” N.J.A.C. 7:25-4.7(a)4.

- e. The Exotic and Nongame Wildlife Regulations require that “every person applying for a permit to possess a potentially dangerous species shall meet each and every of the following criteria to the satisfaction of the Division... [including] Protection of the Public: The housing facilities shall also be constructed to prevent public access to and contact with the animal.” N.J.A.C. 7:25-4.9(a)3.
 - i. On April 3, 2022, photographs taken by former SeaQuest employees and submitted to the Department on May 19, 2023 demonstrated that Asian small-clawed otters possessed by SeaQuest had pushed their feeding portals out of their enclosure and were able to reach into public areas. One photograph depicted an otter biting a SeaQuest employee’s pants.
 - ii. On a public Facebook post, dated June 7, 2023, Department inspectors observed a photograph of a customer of SeaQuest touching the otters through mesh. An otter reached through the mesh and grabbed the woman’s finger.

Conclusion

From these factual findings, the Department concludes that SeaQuest engaged in two (2) violations by failing to construct the housing facilities of a potentially dangerous species “to prevent public access to and contact with the animal.” N.J.A.C. 7:25-4.9(a)3.

- f. The Exotic and Nongame Wildlife Regulations require that “[p]rior to the issuance of any permit permitted by these regulations, every applicant shall, on the forms provided by the Department, demonstrate that... “[t]he animal will be fed an adequate diet[.]” N.J.A.C. 7:25-4.7(a)1.
 - i. On October 30, 2022, photographs taken by two former SeaQuest employees and submitted to the Department on May 19, 2023 demonstrated that a panther chameleon possessed by SeaQuest was underweight. The report also advised the Department that SeaQuest failed to acquire Dubia roaches, or another adequate food source for the panther chameleon, which are a large portion of the animal’s diet. In a quarterly report dated and submitted to the Department on December 31, 2023, SeaQuest reported that the panther chameleon died on December 9, 2023. The panther chameleon’s necropsy dated December 12, 2024 submitted to the Department demonstrated that the animal was emaciated at the time of death, which demonstrated that it was not fed an adequate diet.
 - ii. On September 7, 2022, former SeaQuest employee reported that they had notified SeaQuest



management that food meant for turtles was being consumed by fish in a shared tank before the turtles had an opportunity to consume the food. This report was documented on March 24, 2023 and submitted to the Department on May 19, 2023. The employee further reported that SeaQuest management did not reply to the employee's concern.

Conclusion

From these factual findings, the Department concludes that SeaQuest has engaged in three (3) violations by failing to ensure that their animals have been "fed an adequate diet[.]" N.J.A.C. 7:25-4.7(a)1.

- g. The Exotic and Nongame Wildlife Regulations require that "[z]oos and nature centers must submit quarterly reports of birth, deaths, acquisitions and disposals." N.J.A.C. 7:25-4.6(f).
 - i. On January 18, 2022, photographs taken by two former SeaQuest employees and submitted to the Department on May 19, 2023 depicted a juvenile giant day gecko possessed by SeaQuest. Further investigations by the Department of quarterly reports submitted by SeaQuest to the Department found that the juvenile gecko was born at SeaQuest as a result of breeding and that a second gecko, which was born at SeaQuest, had died. SeaQuest has not included the birth or death of any of these geckos in their quarterly reports.

Conclusion

From these factual findings, the Department concludes that SeaQuest has engaged in one (1) violation by failing to "submit quarterly reports of birth, deaths, acquisitions and disposals." N.J.A.C. 7:25-4.6(f).

- h. The Exotic and Nongame Wildlife Regulations require that "[p]rior to the issuance of any permit permitted by these regulations, every applicant shall, on the forms provided by the Department, demonstrate that... "[t]he method of acquisition did not violate the laws and regulations of this State, any other state or the Federal Government[.]" N.J.A.C. 7:25-4.7(a)3.
 - i. On May 19, 2023, the Department received a report, dated January 19, 2022, that a manager of SeaQuest had instructed a former employee of SeaQuest to inform the public that the nine turtles that SeaQuest obtained in winter 2022 referenced in Paragraph 12.c above were obtained from a donation rather than from a purchase. Further investigations by the Department revealed that permit renewal forms submitted by SeaQuest showed that the turtles had been purchased from an unknown individual who resided in Butler, New Jersey.
 - ii. New Jersey Department of Health regulations prohibit the sale of "viable turtle eggs and live turtles with a carapace length of less than four inches" and require an entity seeking to distribute turtles with a carapace length of four inches or greater to warrant "that each shipment of turtles is free from Salmonella contamination." N.J.A.C. 8:23-2.1. SeaQuest failed to provide documentation to the New Jersey Department of Health warranting that the turtles are free from Salmonella contamination.



Conclusion

From these factual findings, the Department concludes that SeaQuest has engaged in two (2) violations by failing to demonstrate that the “method of acquisition did not violate the laws and regulations of this State, any other state or the Federal Government” for each of the nine turtles. N.J.A.C. 7:25-4.7(a)3.

- i. The Exotic and Nongame Wildlife Regulations provide that “[p]eriodic inspections shall be made by Division designated personnel and shall consist of examination of exotic mammals, birds, reptiles or amphibians and nongame species, their food, facilities, holding pen and exhibit area, and a review of relevant records pertaining to these species.” N.J.A.C. 7:25-4.6(g).
 - i. During numerous Department inspections of SeaQuest, including on December 20, 2023, SeaQuest failed to provide records for the regulated wildlife in their possession.

Conclusion

From these factual findings, the Department concludes that SeaQuest has failed to allow “a review of relevant records pertaining to” regulated species multiple times. N.J.A.C. 7:25-4.6(g).

- j. The Exotic and Nongame Wildlife Regulations provide that “[a]ny false representation by the applicant or a permittee who knows or reasonably should know that the representation is false, and who has submitted the representation to induce the Department to issue a permit or take any other action, shall subject the applicant or permittee to all penalties available under State law, including revocation of any permit obtained based upon false information.” N.J.A.C. 7:25-4.2(a).
 - i. SeaQuest provided 69 veterinary documents upon request to the Department. Department inspectors determined that, of these documents, five had the species name altered with a pen without any indication of whether veterinary staff or SeaQuest staff made the alteration. Additionally, SeaQuest omitted the birth of a giant day gecko from their quarterly reports, as demonstrated by the above-discussed photograph submitted by SeaQuest to the Department showing an unreported juvenile giant day gecko.

Conclusion

From these factual findings, the Department concludes that SeaQuest has submitted a representation that SeaQuest knew or should have known was false to induce the Department to take an action. N.J.A.C. 7:25-4.2(a).

- k. Permit Condition 6 for SeaQuest’s Exotic and Nongame Animal Exhibitor Permit requires that “[f]eeding portals must be monitored at all times by SeaQuest husbandry staff to ensure items other than the allowed food are not put into the animals’ exhibits.”
 - i. On June 5, 2024, during a routine inspection of SeaQuest, Department inspectors observed SeaQuest staff were not in the direct area of the Asian small-clawed otter feeding areas.



Conclusion

Therefore, the Department concludes that SeaQuest engaged in one (1) violation of Permit Condition 6 by failing to monitor feeding portals at all times.

1. Permit Condition 2 for SeaQuest's Exotic and Nongame Animal Exhibitor Permit requires that "[r]egulated wildlife must be in direct control of SeaQuest animal handlers. The only permitted contact that is authorized is restricted to the species indicated on the wildlife inventory list on this permit and must be controlled at all times by the SeaQuest animal handlers. The public may only touch the back of regulated species with two fingers when the animal is in direct control of authorized SeaQuest animal handlers. Regulated wildlife must be held by the head and tail at all times during authorized interactions."
 - i. Department inspectors observed a public Facebook post dated February 26, 2023, showing an Asian water monitor on a leash at SeaQuest with an adult member of the public and a child petting the animal with open hands instead of the authorized two-finger touch, and while the head and tail of the water monitor were not in direct control of the animal handler.
 - ii. Department inspectors observed a public Facebook post dated March 31, 2023, containing a photograph showing a SeaQuest animal handler cradling an Asian water monitor in his arms while a member of the public and a child pet the water monitor with open hands instead of the authorized two-finger touch, and while the head and tail of the water monitor were not in direct control of the animal handler.
 - iii. Department inspectors observed a public Facebook post, dated April 4, 2023, containing a photograph showing a SeaQuest animal handler with an albino ball python wrapped around the handler's arm with a child touching the animal with an open hand instead of the authorized two-finger touch, and while the head and tail of the animal were not in direct control of the animal handler.
 - iv. Department inspectors observed a public Facebook post, dated April 14, 2023, containing a photograph showing an Asian water monitor on a leash at SeaQuest with an adult member of the public petting the animal and a child reaching for the animal with open hands instead of the authorized two-finger touch, and while the head and tail of the water monitor were not in direct control of the animal handler.
 - v. Department inspectors observed a public Facebook post, dated May 28, 2023, containing a photograph showing an actor portraying a mermaid holding a Russian tortoise at SeaQuest. The actor is not a SeaQuest animal handler and is therefore not permitted to interact directly with regulated wildlife.
 - vi. On January 24, 2024, Department inspectors observed screenshots from SeaQuest's website depicting unauthorized interactions, including photographs of the following:
 1. A child holding a yellow headed Amazon parrot,
 2. A child petting a sloth outside of the animal's enclosure,
 3. A member of the public holding an unauthorized African grey parrot, and
 4. A member of the public petting an unauthorized wallaby with an open hand.



Conclusion

Therefore, the Department concludes that SeaQuest engaged in ten (10) violations of Permit Condition 2.

13. The Department conducted a routine inspection of SeaQuest on June 6, 2024 and concludes that SeaQuest engaged in two (2) violations of the Exotic and Nongame Wildlife Regulations from the Department's findings of facts as follows:

- a. The Exotic and Nongame Wildlife Regulations require that “[p]rior to the issuance of any permit permitted by these regulations, every applicant shall, on the forms provided by the Department, demonstrate that...[t]he animal shall receive prompt treatment for any illness or injury from a licensed veterinarian; and [t]he animal is free of infectious diseases and parasites which may be dangerous to the animal, livestock or people of the State[.]” N.J.A.C. 4.7(a)4-5.
- b. On June 6, 2024, Department inspectors found that a rose breasted cockatoo, blue and yellow macaw, and two green winged macaws were sequestered in a closet with no drop-down ceiling. During the inspection, SeaQuest staff explained that these animals were being held off-exhibit to “rest and destress.”
- c. Thereafter, in an email from the New Jersey State Department Health Veterinarian of the New Jersey Department of Health, Communicable Disease Service to the Department dated June 18, 2024, Department inspectors discovered that the green winged macaw had tested positive on an immunofluorescent antibody test for antibodies to avian chlamydiosis (psittacosis).
- d. SeaQuest did not disclose to the Department at any time that the green winged macaw was considered a suspect case of psittacosis and did not provide documentation to the Department demonstrating that the green winged macaw had received veterinary treatment.

Conclusion

Therefore the Department concludes that SeaQuest engaged in the following: Two (2) violations by failing to demonstrate that the animal received prompt treatment from a licensed veterinarian and that the animal is free from infectious disease, N.J.A.C. 4.7(a)4-5; one (1) violation of making a false representation, N.J.A.C. 7:25-4.2(a); and one (1) violation by failing to provide a review of relevant records, N.J.A.C. 7:25-4.6(g).

14. The Department conducted an inspection of SeaQuest on September 18, 2024 and concludes that SeaQuest engaged in three (3) violations of the Exotic and Nongame Wildlife Regulations from the Department's findings of facts as follows:

- a. The Exotic and Nongame Wildlife Regulations require that “[p]rior to the issuance of any permit permitted by these regulations, every applicant shall, on the forms provided by the Department, demonstrate that...[t]he animal is housed or caged in a manner that... [p]revents disease, liberation or accidental injury to the animal and the public[.]” N.J.A.C. 4.7(a)2.ii.



- b. During a routine inspection on September 18, 2024, Department inspectors observed that SeaQuest did not offer protective clothing to their husbandry staff or Department inspectors when in close proximity to the birds listed in Paragraph 8.
- c. During a routine inspection on September 18, 2024, Department inspectors observed that SeaQuest quarantined the birds listed in Paragraph 8 in a room with an open ceiling that connected to the exhibited areas allowing for escape and air circulation and virus movement.
- d. During a routine inspection on September 18, 2024, Department inspectors observed that SeaQuest had moved the blue and yellow macaw in and out of quarantine to be put on exhibit for one hour at a time, thereby potentially exposing the animals, the public, SeaQuest staff, and Department inspectors to a zoonotic disease.

Conclusion

Therefore, the Department concludes that SeaQuest engaged in three (3) violations by failing to demonstrate that the animals were housed or caged in a manner that prevents disease. N.J.A.C. 7:25-4.7(a)2.ii.

15. The Department reviewed video footage taken at SeaQuest on or about November 10, 2024 and concludes that SeaQuest has engaged in one (1) violation of the Exotic and Nongame Wildlife Regulations and one (1) violation of SeaQuest's permit conditions based on the Department's findings of fact as follows:
- a. The Exotic and Nongame Wildlife Regulations require that “[p]rior to the issuance of any permit permitted by these regulations, every applicant shall, on the forms provided by the Department, demonstrate that...[t]he animal is housed or caged in a manner that... [p]revents disease, liberation or accidental injury to the animal and the public[.]” N.J.A.C. 4.7(a)2.ii.
 - b. Permit Condition 6 for SeaQuest's Exotic and Nongame Animal Exhibitor Permit requires that “[f]eeding portals must be monitored at all times by SeaQuest husbandry staff at all times to ensure items other than the allowed food are not put into the animals' exhibits.”
 - c. On November 15, 2024, the Department received video footage from a SeaQuest customer dated November 9, 2024 taken at SeaQuest that depicted one of the Asian small-clawed otters swimming and playing with what appeared to be a token intended to be used for the food dispensers. This poses a choking hazard to the otters and indicates the exhibit area was not being properly monitored by SeaQuest staff.

Conclusion

Therefore, the Department concludes that SeaQuest engaged in two (2) violations by failing to protect animal from or accidental injury and failing to monitor the feeding portals in violation of N.J.A.C. 7:25-4.7(a)2.ii and Permit Condition 6.

16. Based upon the Department's factual findings and conclusions contained in Paragraphs 7, 8, 9, and 10, the Department concludes that SeaQuest has ceased to meet the eligibility criteria for its permits as set forth in the Exotic and Nongame Wildlife Regulations. N.J.A.C. 7:24-4.



ORDER
NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

17. SeaQuest shall comply with all permit conditions of Exotic and Nongame Animal Exhibitor Permit (2024-1309) and Exotic and Nongame Endangered Species Permit (2024-1312) and all other applicable laws.
18. SeaQuest is prohibited from releasing, transferring, or removing any regulated animals to any other location without prior approval from the Department. The Department has constructively seized all regulated animals possessed by SeaQuest.
19. SeaQuest shall provide all veterinary records for all regulated animals that are or were in SeaQuest's possession during the time period of January 1, 2020 to the issuance of this Order.
20. SeaQuest shall test the green-winged macaw, blue and yellow macaw, and rose breasted cockatoo for avian chlamydiosis via PCR testing, with samples collected and submitted by a licensed veterinarian, and shall submit those test results to NJWildlifePermits@dep.nj.gov within one week of receipt.
21. SeaQuest shall immediately cease allowing public interactions with all regulated wildlife. This includes all activities listed on Exotic and Nongame Animal Exhibitor Permit (2024-1309), including but not limited to sloth feeding and touching reptiles with two fingers. Animals may continue to be displayed.
22. SeaQuest shall notify the Department in writing of the death of any and all regulated wildlife within 24 hours upon the death of any animal by emailing NJWildlifePermits@dep.nj.gov. Necropsy reports must also be submitted to the Department within one week.

NOTICE OF REVOCATION AND NOTICE OF RIGHT TO A HEARING

23. The Department is hereby providing notice of revocation of SeaQuest's Exotic and Nongame Animal Exhibitor Permit 2024-1309 and SeaQuest's Exotic and Nongame Endangered Species Permit 2024-1312 based on the Findings above. The Department concludes that SeaQuest has engaged in multiple violations of the Exotic and Nongame Wildlife Regulations and permit conditions. N.J.A.C. 7:25-4.2(d).
24. Upon termination of the Permits, The Department may seize, rehome, and/or order euthanasia for all regulated animals possessed by SeaQuest, N.J.A.C. 7:25-4.2(a). If at any time during animal seizure, a licensed veterinarian advises to euthanize a seized animal, the New Jersey permitted facility that is holding the animal is authorized by the Department to do so. N.J.A.C. 7:25-4.11(c).
25. The Department is hereby providing notice that SeaQuest may request a hearing to contest this Administrative Order and Notice of Revocation in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., the Uniform Administrative Procedure Rules, N.J.A.C. 1:1, and N.J.A.C. 7:25-4.2(d), by filing a written request to the Department within 20 days from the date of this notice. SeaQuest may send the request for a hearing to:

New Jersey Department of Environmental Protection
Office of Administrative Hearings and Dispute Resolution
ATTN: Adjudicatory Hearing Requests
401 E. State Street
Mail Code 401-07A
PO Box 420
Trenton, NJ 08625-0420



A written request for a hearing shall clearly state:

- i. The name of the person/entity requesting the hearing and their contact information, including mailing address, email, and telephone number;
- ii. The departmental decision from which the recipient seeks relief;
- iii. The details of how the departmental decision aggrieves the recipient; and
- iv. The findings of fact incorporated within the notice of intent that the recipient contests.

The Department shall review each hearing request and, upon a determination that the matter constitutes a contested case, grant a hearing. N.J.A.C. 7:25-2.2(c)(2). The denial of a request for a hearing shall be considered final agency action.

Failure to request a hearing within the 20 days of receipt of this Administrative Order and Notice of Revocation shall result in the denial becoming final on the 21st day following its receipt.

GENERAL PROVISIONS

26. This Administrative Order and Notice of Revocation is binding upon SeaQuest, its principals, directors, officers, agents, successors, assigns, employees, tenants, any trustee in bankruptcy or other trustee, and any other receiver appointed pursuant to a proceeding in law or equity.
27. No obligations imposed by this Administrative Order and Notice of Revocation are intended to constitute a debt which could be limited or discharged in a bankruptcy proceeding. All obligations are imposed pursuant to the police powers of the State of New Jersey, intended to protect the public health, safety, and welfare and the environment.
28. This Administrative Order and Notice of Revocation is issued only for the violations identified in the FINDINGS herein above and violations of any statutes, rules or permits other than those herein cited may be cause for additional enforcement actions, either administrative or judicial, being instituted. By issuing this Administrative Order and Notice of Revocation, the Department does not waive its rights to initiate additional enforcement actions.
29. Neither the issuance of this Administrative Order and Notice of Revocation nor anything contained herein shall relieve SeaQuest of the obligation to comply with all applicable laws.

Respectfully,



David Golden
Assistant Commissioner

- C: James Oxley, Chief Bureau of Wildlife Management
Sherry Preisig, Bureau of Wildlife Management
Bureau of Law Enforcement, Central Region



This Administrative Order and Notice of Revocation affects the following regulated wildlife:

Amphibians:

0.0.5 Axolotl

Birds:

0.0.1 Rose breasted cockatoo

0.0.1 Blue and yellow macaw

1.0.0 Green winged macaw

0.0.1 Keel-billed toucan

Mammals

2.0.0 Asian small-clawed otter

0.1.0 Linnaeus's two-toed sloth

Reptiles:

0.0.1 California kingsnake

0.0.1 Frilled lizard

0.0.5 Geyr's spiny-tailed lizard

0.0.2 Ball python

1.0.0 Reticulated python

0.0.1 Common blue-tongued skink

0.0.1 Monkey tailed skink

1.0.0 Argentine black and white tegu

1.1.0 Russian tortoise

References:

Centers for Disease Control. "About Psittacosis." 31 January 2024.

<https://www.cdc.gov/psittacosis/about/index.html>

Centers for Disease Control and Prevention. Compendium of measures to control *Chlamydia psittaci* infection among humans (psittacosis) and pet birds (avian chlamydiosis), 1998.

Hoppes, Sherman M. "Bacterial Diseases of Pet Birds." Merck Veterinary Manual. September 2021.

<https://www.merckvetmanual.com/exotic-and-laboratory-animals/pet-birds/bacterial-diseases-of-pet-birds>.

Zoo Med Laboratories. "Giant Day Gecko." 2024. <https://zoomed.com/giant-day-gecko/>

