FSO Fights Lawsuit to Move Sea Otters Out of Santa Barbara

In April, the Commercial Fishermen of Santa Barbara filed a lawsuit against the United States Fish and Wildlife Service (FWS) seeking to force the capture and removal of sea otters that have migrated south of Point Conception into an area known as the "management zone". The Commercial Fishermen allege that FWS's failure to capture and remove Southern Sea Otters from the "management zone" violates the Translocation Law, Public Law 99-625.

The Commercial Fishermen seek to force FWS to enforce the so-called "no otter zone" established under the 1987 Translocation Law. That law was intended to promote the recovery of sea otters by establishing a second population of sea otters at San Nicolas Island (SNI) by translocation of animals from the mainland population. The trade-off agreed to in the Translocation Law was that sea otters would be kept out of the area south of Point Conception in exchange for a successful population at SNI. According to the plan developed by FWS after enactment of the law, a total of 500 otters should have been established at San Nicolas Island by now. Instead, the population remains at less than 25 animals.

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Meet Cindy Lowry

Cindy Lowry has joined as the Executive Director for Friends of the Sea Otter. Cindy has an extensive background in the area of marine mammal management and habitat protection. She is best known for her work with Greenpeace in Alaska, where she served as the Regional Director for ten years. In addition to her efforts to protect whales, sea otters and other marine species, Cindy played a key role in responding to the Exxon Valdez disaster. She gained international recognition for her role in coordinating efforts to rescue gray whales trapped in the ice off the coast of Alaska.

Over the past 20 years, Cindy has served on many federal and state planning teams relating to the management of marine mammals, including sea otters. Her experience working with a diverse array of public interest groups, and federal, state and local agencies should prove valuable to FSO's ongoing mission of protecting sea otters throughout their range. Cindy is indeed honored to be entrusted with the responsibility of carrying forward with Margaret Owings and Dr. James Mattison's enduring vision set forth 32 years ago.

Our Mission

Friends of the Sea Otter (FSO) is a not-for-profit organization founded in 1968 dedicated to the protection of a rare and threatened species, the southern sea otter, as well as sea otters throughout their north Pacific range, and all sea otters worldwide.
From the Executive Director

As the new Executive Director for FSO, I'm very excited to join an organization with such a long and well-respected history in the protection of sea otters and their habitat. I come to the organization at a particularly challenging time for the conservation and recovery of this species. It is of the utmost importance that the causes of the sea otter population decline be identified and that actions to halt and reverse that trend are initiated, not only in California, but in Alaska, as well, where the population is in serious jeopardy.

FSO is pushing hard to obtain a new recovery plan for the California sea otter population that will give the species full protection. In addition, we are pursuing federal funds for enforcement, research, habitat protection and other critical actions. And, we are pulling out all stops to ensure that no sea otters are caught and drowned in fishing gear. As you will read elsewhere in The Otter Raft, we are pursuing legal action to defend against the most recent attack on sea otters by the more extreme elements of the fishing industry. FSO is also gearing up to take legal action to protect both the Alaska and Washington State sea otter species.

We have a lot of hard work ahead of us and will continue to use all the tools available to us in the form of education, research, advocacy, and when necessary, litigation to ensure the future viability of sea otters throughout their North Pacific range. Your continued commitment as members of FSO and your much-appreciated financial support is vital to help us sustain this fight!

Cindy Lowery

Spring 2000 Sea Otter Census Numbers Increase

Friends of the Sea Otter (FSO) is encouraged by the results of the southern sea otter (*Enhydra lutris nereis*) 2000 spring census. However, these results must be cautiously embraced. Several more high spring counts would need to be recorded in order to be confident that the downward population trend has been reversed.

This reserved optimism doesn't change the ongoing work FSO is engaged in to help recover this subspecies. Research money is still urgently needed to fund the critical projects that are either under way or proposed to investigate the five-year decline experienced by the southern sea otter.

There are ways we all can assist in securing this necessary research funding:

- Write letters to your Congressional representatives and U.S. Senators.
- Attend important workshops or meetings involving the U.S. Fish and Wildlife Service and other key agencies.
- Inform FSO of any foundations or private donors that support this type of work.

We are hopeful that this spring's count is a trend we will see over the next few years. Until then, what this population experienced since 1995 is very real and warrants attention. We must heed to what this keystone species is telling us about the quality of the nearshore ecosystem. This isn't just about ecosystem health. Human health is equally at stake here.

Public Comments Needed!!

Please visit our website: [www.seaotters.org](http://www.seaotters.org) for important information regarding public scoping meetings and comment period deadline regarding a supplemental environmental impact statement being prepared by FWS to re-evaluate the southern sea otter translocation program. Written comments accepted until September 29, 2000.
Alarming Decline in Alaska’s Sea Otter Population

While the problems that are affecting the southern, or California sea otter, are critical, the situation in Alaska is one of alarm. In the 1980s, the estimated population for all of Alaska ranged from 100,000 to 300,000. After the just completed census, this estimate ranges from 25,000 to 50,000. In parts of the Aleutian Island chain the decline has reached 95%.

While the cause(s) are not conclusive, Dr. James Estes, a sea otter research expert with the U.S. Geological Survey, Biological Resources Division, and colleagues have pointed at a dramatic increase in killer whale predation upon sea otters. Why this has occurred has been linked to the possibilities of regime shifts and overfishing of critical fish resources that have resulted in crashes in Steller sea lion and harbor seal populations. The potential collapse of the Bering Sea ecosystem, where these problems have escalated, warrants immediate protective action.

In late July, Cindy Lowry traveled to Alaska and met with the U.S. Fish and Wildlife Service (FWS) to begin discussions on this serious problem. One of the actions that FSO is considering, if the FWS does not initiate the process, is to petition to list certain Alaskan sea otter stocks under the federal Endangered Species Act. As FWS’s continues in its efforts to determine the full range of the sea otter declines in the Bering Sea and western Alaska, FSO will be monitoring the situation closely.

Look for more details in the next issue of The Otter Raft.

Lawsuit (continued from front page)

Under the criteria established by FWS to determine if the population at SNI has been successful, the number of animals present has never equaled the level required to avoid a failure determination. As a result, the benefits for sea otters envisioned by the 1987 public law -- a large number of animals at the Island -- has never been achieved. Nevertheless, the Commercial Fishermen seek to require that these animals be captured and removed. They want to secure their benefit under the law, even though the required “quid pro quo” of a successful translocated population has never been achieved.

The Commercial Fishermen’s lawsuit represents an extreme action by a minority component of the fishing industry. It is without doubt an anti-sea otter lawsuit that, if successful, will cause jeopardy to the southern sea otter, impede the otter’s recovery process, and result in the probable death of an unacceptably high number of animals. If granted, plaintiffs’ requested relief would result in numerous violations of federal law designed to protect this seriously depleted and threatened species and jeopardize its very existence.

Friends of the Sea Otter along with the Defenders of Wildlife, the Center for Marine Conservation, the Animal Protection Institute, and The Humane Society of the United States have filed a motion with the Federal District Court in Los Angeles to allow them to intervene in the Commercial Fishermen’s lawsuit against the FWS. These environmental groups intend to adamantly and vigorously oppose the Commercial Fishermen’s legal threat to the conservation recovery of the species.

Photo by Lee Worthington - member of FSO
FSO News

FSO 2000 Annual Meeting
The 32nd FSO Annual Meeting will be held on OCTOBER 14, 2000 at 6 p.m. at the Monterey Bay Aquarium with Guest Speaker, Dr. David Jessup. Also join us for our Center's Open House, Opportunity Drawings and Otter-Spotting. Free lodging info: www.monterey-rooms.com --- book your hotel reservations now! Visit our website for more information.

FSO Website Update
We now have the capability to update our website more easily to assure we're keeping you informed of current issues! Listen to our "Sea Otter Vocalizations" and be sure to check our "On-line Store" weekly for newly arrived and sale items! Website: www.seaotters.org

Send Us Sea Otter News
We are always working to keep our files of sea otter news articles current. You can help by sending us any articles related to sea otters from your local newspapers. Just mail them to our business office address. Thanks!

Save $$ on Membership Renewals
A modest increase in membership rates is anticipated later this year. You can save by renewing your membership now before the new rates become effective. We regret that due to rising costs of membership maintenance we can no longer offer the Lifetime Membership category. Existing Lifetime Memberships will, of course, be honored.

New Otter's Trove Fall Catalog
All FSO members will receive our new Otter's Trove catalog in the fall.

Volunteers Needed!
We are always in need of local volunteers to work as Sales Associates at our Education Retail Center and as "Otter-Spotters". Interested? Please e-mail: Cathy@seaotters.org