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HOUSE EXEMPTS THREATENED SEA OTTER FROM ENDANGERED SPECIES ACT

MONTEREY, CALIFORNIA (May 18 , 2012) – The U.S. House of Representatives voted today to remove federal protections from the threatened southern sea otter in Southern California. The vote comes amid pressure from commercial fisheries that fear an expanding sea otter range might conflict with current fishing practices off the coast of Southern California. In a statement to Congress, a coalition of conservation organizations including Friends of the Sea Otter asserts that the bill “is dangerously counterproductive to the conservation and recovery of the threatened southern sea otter.”

The bill, known as H.R. 4043 and offered as an amendment to the National Defense Authorization Act by Rep. Elton Gallegly (R – Santa Barbara and Ventura Counties), is clearly a reaction to the probable termination of a program that established the controversial “no-otter” zone in Southern California. The 1987 program was meant to keep sea otters from expanding past Point Conception, CA while also establishing an isolated sea otter colony at San Nicolas Island to ensure the species’ survival in the event of a catastrophic oil spill. The U.S. Fish and Wildlife Service proposed to end this program last August, stating that it had failed to achieve it’s goal of establishing a healthy colony of sea otters at San Nicolas Island and that continuing to exclude otters from Southern California waters would jeopardize the species.

The bill originally required the federal government to ensure Southern Californian shellfish harvests were not impacted by an expanding sea otter range – a requirement that the federal government would have a hard time meeting. That language was replaced before the bill was passed out of the House Committee on Natural Resources.

Upon termination of the “no-otter” zone, the amended H.R. 4043 authorizes incidental take of sea otters by commercial fishermen south of Point Conception, which would otherwise be illegal under the Endangered Species Act and Marine Mammal Protection Act once the “no-otter” zone is terminated. “This is just going to be open season on sea otters,” stated Rep. Edward Markey (D – Massachusetts), Ranking Member of the House Committee on Natural Resources, which passed the bill on a 24-13 vote.

Though the bill focuses specifically on the threatened southern sea otter, the decision to remove protections for the species based on political rather than scientific reasons is unprecedented and dangerous to wildlife protection in general. “The bill essentially sets precedent for endangered and

threatened animals that are seen as inconvenient to a well-connected special interest,” stated Jason Lutterman, program manager for Friends of the Sea Otter, an organization that has been advocating for the protection of the sea otter for over 40 years.

H.R. 4043 also establishes three small “military readiness zones” around select Navy and Marine Corps bases at San Nicolas Island, San Clemente Island, and Camp Pendleton. These zones are created largely to release the Navy from liability should a sea otter be injured or killed during a military exercise. To date, there has never been any reported incident of a sea otter interfering in a military exercise.

The southern, or California, sea otter exists in only a narrow coastal range in California. Once believed to be extinct from the fur trade, this “comeback” species has grown from a group of about 30 animals rediscovered in the 1930s to about 2,700 today. The latest population survey in 2010, however, indicated the species had declined for a second consecutive year, and the sea otter still faces many obstacles to its recovery including pollution, disease, and habitat degradation. Scientists with the U.S. Fish and Wildlife Service, other federal and state agencies, and private researchers have determined that the sea otter would best be served if allowed to naturally expand its range.

H.R. 4043 will be introduced to the Senate as an amendment to H.R. 4310, the National Defense Authorization Act. Friends of the Sea Otter and its partners will continue to promote the protection of the sea otter by opposing the provisions added by the Gallegly bill in the Senate.

*Founded in 1968, **Friends of the Sea Otter** advances the conservation of sea otters by educating the public, supporting research, and advocating for the protection of the sea otter at the local, state, and federal level.*

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