



**Statement of Michelle Bender
on behalf of Friends of the Sea Otter**

Marine Mammal Commission

Annual Meeting

May 30, 2018

Good afternoon, my name is Michelle Bender speaking on behalf of the Friends of the Sea Otter (FSO). Thank you for the opportunity to speak to you today.

Founded in 1968, FSO is an advocacy group dedicated to protecting and conserving sea otter populations and their habitat. Celebrating its 50th anniversary of sea otter conservation activities, FSO is pleased to see the progress that has been made in recovery for some sea otter populations, but we remain greatly concerned by the threats that remain.

We thank the Marine Mammal Commission for its long track record of guiding sea otter conservation and look forward to continuing to work with you to achieve full species recovery and to bring about the health and stability of the marine ecosystems of which sea otters are a part.

Our statement focuses on the threats and long-term conservation issues for the Southern Sea Otter population in California and the Northern Sea Otter populations in Washington and Alaska.

California Sea Otters

The southern sea otter population in California was listed as "threatened" under the ESA in 1977 because of "its small size and limited distribution." As set forth in the 2003 Recovery Plan, should the population exceed an average size of 3,090 animals over a consecutive three-year period, the southern sea otter can then be re-evaluated and

considered for delisting. The 2017 Stock Assessment report estimated a minimum population in 2015 at 3,054 animals and in 2016 at 3,272. However, the 2017 annual count showed an unprecedented decline of 25% from 2016. FSO fully understands the importance of the three-year average population size, but the magnitude of the decline reported in the 2017 annual count is a matter of considerable concern. While the size of the population has increased as reported in the three-year average, that growth has not been as expected. Particularly, the population has only reclaimed approximately 13 percent of its historic range, and the southern and northern portions of their range have been experiencing a declining trend most likely due to increased shark bite mortality.

FSO provided comments to the U.S. Fish and Wildlife Service (FWS) last year encouraging the Service to revise the Stock Assessment Report (SAR) to confirm that population growth alone is not a sufficient basis for delisting in the absence of range expansion and the reduction of the other threats that served as the basis for listing in 1977. However, the response given insisted the SAR is not the appropriate document in which to discuss threats to the species in comprehensive detail or to make recommendations regarding delisting.

Therefore, we recommend no action on delisting should be taken in advance of the next five-year review, which would occur in 2020, regardless of the population size reflected in the three-year average. We also request that the review fully cover the threats impeding the recovery of the species and delisting criteria, including full consideration of the need to revise the Recovery Plan. Simply put, although important progress has been made in the recovery of the southern sea otter over the 50 years of FSO's existence, 46 years of protection under the MMPA, and 41 years of protection under the ESA, recovery is not yet assured and much work still needs to be done.

Washington Sea Otters

The Washington sea otter population is not designated as "depleted" under the MMPA nor listed as "threatened" or "endangered" under the ESA. It is listed as "State endangered" due to small population size, restricted distribution, and vulnerability.

Based on the 2016 survey, the minimum population estimate of the Washington sea otter population is 1,806 individuals. Under the Washington State Recovery Plan, the population will be considered for downlisting to State Threatened status when the average population level over a three-year period equals or exceeds 1,640 sea otters and when the population is distributed such that a single catastrophic event, such as a major oil spill, would be unlikely to cause severe decline of the population.