



# MARINE MAMMAL COMMISSION

3 August 2012

Ms. Diane Noda  
Field Supervisor  
U.S. Fish and Wildlife Service  
2493 Portola Road, Suite B  
Ventura, CA 93003

Dear Ms. Noda:

The Marine Mammal Commission, in consultation with its Committee of Scientific Advisors on Marine Mammals, has reviewed the revised stock assessment report for the southern sea otter (77 Fed. Reg. 27246) and offers the following recommendations and comments.

## RECOMMENDATIONS

The Marine Mammal Commission recommends that the Fish and Wildlife Service—

- adopt the draft stock assessment report for southern sea otters as written;
- calibrate any future survey methods against the current survey method to ensure scientists have a basis for comparing results irrespective of method and maintaining an accurate record of population trend;
- consult with the National Marine Fisheries Service and California Department of Fish and Game to restrict trap openings to prevent the entrapment of sea otters in Dungeness crab, lobster, and finfish traps throughout the range of the southern sea otter; those restrictions should not exceed 5-inches in diameter for ring openings and 3 x 9-inches for rectangular openings; and
- if such measures cannot be adopted expeditiously, pursue the development of an industry funded observer program that is carefully tailored to monitor the involved fisheries within the sea otter's range to assess sea otter bycatch levels and identify alternative take reduction strategies.

## RATIONALE

The draft report provides new information on the abundance and trends of the southern sea otter population and human sources of mortality including incidental take in fisheries. The report is well done and the Marine Mammal Commission recommends that the Fish and Wildlife Service adopt the draft stock assessment report for southern sea otters as written.

## Population Size

This section of the draft assessment report notes that it was not possible to complete a population survey in 2011 due to the weather. Therefore, the best estimate of population abundance is based on counts of sea otter from 2008 to 2010. During the Pacific Stock Assessment Review Group meeting in November 2011, Fish and Wildlife Service

representatives indicated that the Service might change the population survey methods at least in part to reduce their costs. This raises the possibility that new counts may not be comparable to counts made over recent decades. To ensure that trends can be tracked consistently over time, the Marine Mammal Commission recommends that the Fish and Wildlife Service calibrate any future survey methods against the current survey method to ensure scientists have a basis for comparing results irrespective of method and maintaining an accurate record of population trend.

### **Fishery Information**

The section on fishery interactions (page 5) notes that sea otters may be taken in trap fisheries for crabs, lobsters, and finfish, although only four otter deaths in trap gear in California have been documented. Hatfield et al. (2011) investigated the risks to sea otters from trap fisheries and found that sea otters could be excluded from Dungeness crab traps with no loss of catch by reducing the height of a rectangular opening from 4 x 9 inches to 3 x 9 inches and by using circular openings for lobster and finfish traps no greater than 5 inches in diameter. This section also notes that although 5-inch excluder rings are currently required for finfish traps used in most of the sea otter's range, they are not required south of Point Arguello and there are no excluder ring requirements for lobster or crab traps anywhere in California. Although the draft stock assessment report notes the number of participants in the various fisheries, it does not indicate the extent to which these fisheries are conducted within the range of the sea otter.

Hatfield et al. (2011) also estimated the level of observer coverage needed to be 95 percent confident that, at the current fishing effort, at least one otter death would be detected as a function of the hypothetical number of otters trapped and the number of trap hauls observed. Their results indicate that observer effort would have to be relatively high to meet this standard.

Based on the findings of Hatfield et al. (2011) and on the fact that the Service cannot presently characterize the level of otter mortality in fisheries, the Marine Mammal Commission recommends that the Fish and Wildlife Service consult with the National Marine Fisheries Service and California Department of Fish and Game to restrict trap openings to prevent the entrapment of sea otters in Dungeness crab, lobster, and finfish traps throughout the range of the southern sea otter; those restrictions should not exceed 5-inches in diameter for ring openings and 3 x 9-inches for rectangular openings. The Commission also recommends that, if such measures cannot be adopted expeditiously, the Service pursue the development of an industry funded observer program that is carefully tailored to monitor the involved fisheries within the sea otter's range to assess sea otter bycatch levels and identify alternative take reduction strategies.

I hope these recommendations will be helpful. Please contact me if you have questions.

Sincerely,



Timothy J. Ragen, Ph.D.  
Executive Director