



**U.S. FISH AND WILDLIFE SERVICE**  
**Region 7 - Alaska**  
**1011 East Tudor Road**  
**Anchorage, Alaska 99503**  
**(907)786-3309 (TDD Available)**

**News**

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Contact: Douglas Burn (907) 786-3807  
Bruce Woods (907) 786-3695

## **CRITICAL HABITAT PROPOSED FOR SOUTHWEST ALASKA SEA OTTERS**

The U.S. Fish and Wildlife Service has proposed the designation of a total of approximately 15,000 square kilometers of near-shore, shallow waters in five separate critical habitat units for the southwest Alaska Distinct Population Segment (DPS) of the northern sea otter. Since 2005, this population of otters has been protected as a threatened species under the Endangered Species Act (ESA). The proposed rule, which includes the announcement of the opening of a 60-day comment period, was published today in the *Federal Register*.

A critical habitat designation identifies geographic areas that contain the specific habitat elements essential for the conservation of the species. The designation would have no influence on private land unless proposed activities there are federally permitted or funded. The physical and biological features believed to be essential to sea otter conservation are those that provide cover and shelter from marine predators, especially killer whales. These areas primarily consist of shallow (less than 20 meters deep), nearshore (within 100 meters of the mean tide line) waters.

The Service is proposing critical habitat in five discrete units considered important to the recovery of the otter. From west to east, these are: (1) Western Aleutian Unit; (2) Eastern Aleutian Unit; (3) South Alaska Peninsula Unit; (4) Bristol Bay Unit, and (5) Kodiak, Kamishak, Alaska Peninsula Unit.

Sea otters are a member of the weasel family (*Mustelidae*) and live in the nearshore waters along the North Pacific Ocean. They are the smallest marine mammals, and are most closely related to river otters. Historically, sea otters occurred in near shore waters around the North Pacific rim from Hokkaido, Japan through the marine coastal areas of the Russian Far East and the Pacific coastal areas in the United States as far south as Baja California. The world-wide sea otter population was reduced to just a few hundred animals between 1742 and 1911, due to commercial harvest by the Russian and Russian/American fur trades. Three populations of sea otters exist in Alaska today. The statewide population is believed to number around 70,000 animals.

Once critical habitat has been designated, federal agencies that undertake, fund, or permit activities that may affect critical habitat are required to consult with the Service to ensure such actions do not adversely modify or destroy designated critical habitat. The designation of critical habitat does not affect land ownership or establish a refuge, wilderness, reserve, preserve, or other conservation area. It does not allow government or public access to private lands or limit public access to public or private lands and waters.

The Service does not anticipate that designation of critical habitat for the southwest Alaska DPS of the northern sea otter will result in any closure of commercial fishing in southwest Alaska. Sea otters eat primarily benthic (bottom-dwelling) invertebrates; for example, in the Aleutians their diet consists mostly of sea urchins, crabs, octopus, and some bottom fishes. Because of their dependence on benthic prey items, sea otters spend the vast majority of their time in shallow water, typically close to the shore,

and this preference is reflected in those areas proposed for critical habitat designation. The Service recently worked with the Alaska Department of Fish and Game to analyze that agency's commercial fishing database. The results indicated that the species which otters most often prey upon have little or no commercial interest. In addition, the areas proposed as critical habitat, as described above, are not areas where significant commercial fishing occurs.

This proposed rule was prepared in response to a court order resulting from a lawsuit filed in 2006 against the Service. Today a 60-day public comment period opens during which people may submit comments on the proposed designation. All comments will be read and evaluated. A Final Rule will then be published in the Federal Register. The final critical habitat designation will include a "Comments and Response" section that will address the major points raised during the public comment period. Public comments will be accepted for 60 days following the December 16, 2008 publication of the proposed rule in the Federal Register, and can be submitted by mail or hand-delivered to the Marine Mammals Management Office address below or at the Federal eRulemaking Portal at <http://www.regulations.gov>).

The proposed rule, with accompanying information, is available on the internet at <http://alaska.fws.gov/fisheries/mmm/seaotters/criticalhabitat.htm> or from the Marine Mammals Management Office at the U.S. Fish and Wildlife Service's Alaska Regional Office, 1011 East Tudor Road, Anchorage, Alaska, 99503. You can also obtain a copy via fax by calling (907) 786-(3800).

*The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. We are both a leader and trusted partner in fish and wildlife conservation, known for our scientific excellence, stewardship of lands and natural resources, dedicated professionals, and commitment to public service. For more information on our work and the people who make it happen, visit [www.fws.gov](http://www.fws.gov).*

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