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Suit seeks to protect sea otter habitat

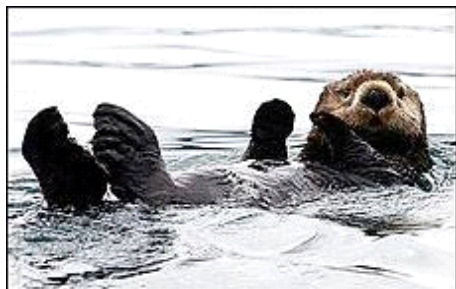
MARY PEMBERTON

Associated Press

ANCHORAGE, Alaska - Despite an "alarming" decrease in sea otters in southwest Alaska, the federal government is dragging its heels when it comes to designating critical habitat to help them recover, according to a lawsuit filed Tuesday.

The designation of critical habitat is required for species listed under the Endangered Species Act, says the lawsuit filed by the **Arizona-based Center for Biological Diversity**.

According to the conservation group, the U.S. Fish and Wildlife Service generally is required to designate critical habitat at the time a species is ESA listed or within a year if it can't be done immediately.



A sea otter floats in Kachemak Bay, Alaska, in this July 1, 2003 file photo. Despite an "alarming" decrease in sea otters in southwest Alaska, the federal government is dragging its heels when it comes to designating critical habitat to help them recover, according to a lawsuit filed Tuesday Dec. 19, 2006. (AP Photo/Laura Rauch-File) (Laura Rauch - AP)

The deadline was Aug. 9, 2006, exactly one year after sea otters in southwest Alaska were listed as threatened, the lawsuit says.

"The Alaska sea otter remains without protected critical habitat even though the deadline has come and gone," the lawsuit says.

It asks the federal district court in Washington, D.C., to require the Fish and Wildlife Service to designate critical habitat for sea otters. **Miyoko Sakashita, a lawyer with the Center for Biological Diversity**, said the group is looking for prompt action.

"It used to be the most abundant sea otter population in the world, and now when they go out and do these surveys it is very rare to see the sea otters," **Sakashita said**.

The lawsuit says sea otters in southwest Alaska continue to disappear.

"Sea otters in southwest Alaska are in a grave situation with alarming and ongoing population declines," the lawsuit says. "The absence of critical habitat permits the degradation, modification, and destruction of habitat essential to the Alaska sea otter's survival and recovery."

The 1,000-mile long Aleutian Island chain once had an estimated 75,000 sea otters - slightly more than the current statewide total.

Now, there are about 8,700 sea otters in the Aleutians and numbers for the southwestern region, which includes the Aleutians, have dropped by more than half, said Douglas Burn, a wildlife biologist with U.S. Fish and Wildlife in Anchorage. Alaska now has an estimated 73,000 sea otters.

Once critical habitat is designated, all federal agencies would be required to ensure that any activities in that area would not be harmful.

The reason for the collapse of the sea otters is not known, although theories include increased predation by killer whales and climate change that may be reducing available prey.

Burn said while he can't comment on the lawsuit the agency is not ignoring the issue. He said a recovery team made up of experts is helping develop a recovery plan for sea otters. A draft recovery plan also is in development. And, he said, the team has discussed the role of critical habitat.

Sakashita said the Interior Department's proposal to open up areas in the Bering Sea to offshore oil development is particularly troubling. The Bush administration also is considering lifting a ban to allow drilling in Bristol Bay.

Opening up these areas to oil and gas development could mean the end for Alaska's southwestern sea otters, especially if there was an oil spill similar to the Exxon Valdez tanker spill in Prince William Sound 1989, **Sakashita said**.

"These sea otters that are already on the brink of survival or extinction, any sort of impact like that is likely to devastate the population," **Sakashita said**.