



## NORTH STAR GROUP

# Framing the Conversation Sea Otter Management in Southeast Alaska

## A Stakeholder Outreach Initiative

### Summary and Background

Sea otter population growth and the response to it in Southeast Alaska is a controversial topic that affects a variety of stakeholders and industries. This document focuses on the history of the region's sea otter population, current management practices, and the regulatory framework surrounding a growing sea otter population in Southeast Alaska. Further, it examines sea otter issues from other perspectives outside of the management authorities, including commercial dive fishing, subsistence practices, and a case study. The document will close with a series of recommendations to be considered at a stakeholder meeting hosted by the United States Fish and Wildlife Service (USFWS) that is scheduled for November 6, 2019 in Juneau, Alaska.

USFWS is working with affected stakeholders to consider how sea otters can be managed for their continued protection while addressing the concerns of a variety of Southeast Alaska user groups. Considering significant legislation, management decisions, identified challenges and stakeholder group perspectives, this document was developed to help guide the conversation among stakeholders in the region.

Historically, northern sea otters have populated Alaska's entire North Pacific coastline, from the Aleutian Chain to the Southeast archipelago and down through British Columbia and northern Oregon. The sea otter population was exploited without constraint during the period of Russian colonization and was near extinction levels after the U.S. took over the fur trade when Russia sold Alaska to the U.S. in 1867. With Southeast Alaska's sea otter population still sparse

or extirpated in the 20th century, 412 sea otters were transplanted from remnant populations at Amchitka Island and Prince William Sound to several sites in Southeast Alaska in the 1960s. Since then, the population has grown with a most recent population estimate of 25,584 sea otters in Southeast Alaska.

Perceptions and observations regarding the predatory impact of sea otters on Southeast shellfish stocks have led to public and political demands for the active management of sea otter populations in order to better protect commercial and subsistence shellfish resources.

Under the Marine Mammal Protection Act (MMPA), the authority to manage sea otter populations lies with USFWS (along with polar bears, Pacific walrus, manatees and dugongs). In November of 2019, USFWS will bring together key stakeholders to discuss issues related to the management of sea otter populations in Southeast Alaska. A steering committee comprised of representatives from many of the key groups directly affected is providing guidance on planning the meeting. As this initiative progresses, the intent is to broaden the conversation to be an inclusive dialogue involving all interested stakeholders.

North Star Group (NSG), an Alaska consulting firm, is assisting USFWS with research and logistics in preparation for the November 2019 meeting. To ensure constructive and transparent dialogue and to frame the discussion, USFWS and NSG prepared the following overview of this subject from a variety of relevant perspectives and information sources.

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## Sea Otter Management Overview

### Historical Record

Historically, sea otters were hunted by Alaska Native people throughout coastal Alaska. The fur was used for clothing, crafts and trade, and the meat retained for food. During the early Russian settlement of Alaska, beginning in the mid-1700s, sea otters were prized for their fur and hunted relentlessly, leaving the remaining statewide population at no more than a couple thousand. Fur trading profits drove the Russian colonization of coastal Alaska, leading to the founding of permanent communities that served as fur trade centers. Unrestrained commercial exploitation—from both Russian and subsequent U.S. harvesting—nearly eliminated Alaska's sea otter population, generating both environmental and social impacts. Without management, the dwindling sea otter population remained vulnerable and at risk.

To eliminate competition for the valuable pelts, the Russians also banned the use of sea otters by Alaska Natives. The ban continued on behalf of American fur traders after the United States' purchase of Alaska, leading to continued excessive commercial hunting and virtual extinction of sea otters by 1899.

In an action that guided future efforts to manage and protect marine mammals, the United States, Russia, United Kingdom and Japan signed the North Pacific Fur Seal Convention in 1911 to regulate the exploitation of the fur seal resource. The treaty (which did not include sea otters) banned open-water hunting

and gave the U.S. jurisdiction to manage onshore seal hunting for commercial purposes. The convention also provided an exemption for Indigenous groups that hunted seals for traditional purposes.

After statehood in 1959, Alaska was granted jurisdiction over sea otter management. Under state management, sea otters were re-introduced to Southeast Alaska. Alaska Department of Fish & Game research estimated the statewide population at 100,000 to 120,000 by the mid-1970s.

When MMPA went into effect in 1972, management authority was transferred to the federal government, with USFWS designated as the lead agency for sea otters and other selected species. At the time of enactment, MMPA placed a moratorium on the taking of all marine mammals including sea otters while allowing an exemption for coastal dwelling Alaska Natives so they could continue to harvest sea otters for subsistence use and traditional crafts, provided their harvest was not conducted in a wasteful manner. MMPA also provided certain other exemptions that allow permits to be issued to take sea otters for scientific research, public display, enhancement, and commercial photography purposes. Additionally, MMPA allows incidental taking that may occur from an otherwise legal activity being conducted in or around sea otters such as fishing in federal waters and oil and gas development.

### Relationship Between Federal and State Governments<sup>1</sup>

In the 1960's, the Alaska Department of Fish and Game (ADF&G) led the efforts to reintroduce sea otters in Southeast Alaska. From 1960 to 1972, the State of Alaska and corresponding agencies were responsible for sea otter population management. Since the adoption of MMPA in 1972, the state has had a management support function. The state applied on Jan.

31, 1973 to obtain management authority (specific to walrus, and applicable to sea otters and polar bears), but ceased this effort in 1979.

Though it has had minimal involvement in sea otter research and management, ADF&G's current role is to provide recommendations to USFWS for sea ot-

<sup>1</sup> Content for this section was taken from a formal interview conducted with Lori Polasek, Marine Mammal Program Coordinator for Alaska Department of Fish and Game.

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ter and other marine mammal management. One current ADF&G recommendation to USFWS is for more active management of sea otters to reduce the impact to state fisheries. In accordance with MMPA, implementation decisions regarding state recommendations are made at the federal level, based on the merits of the proposals, the data that supports the proposals, available levels of funding, and consistency with MMPA mandates.

ADF&G's management support involves providing the federal government with science, data, and research regarding Alaska's marine mammal populations. Though Southeast Alaska sea otters are not currently a research subject for ADF&G, activities like monitoring and field research are conducted to contribute to the knowledge base of other marine mammals across the state. Historically, ADF&G has produced reports on marine mammal stock structure, habitat use, population size monitoring studies, and other factors that directly affect management decisions and has shared its collected data with USFWS for use in the management process.

ADF&G's work and management practices are governed by Article VIII of the Alaska Constitution. The relevant sections are excerpted below.

Section 2. General Authority – The legislature shall provide for the utilization, development, and conservation of all natural resources belonging to the State, including land and waters, for the maximum benefit of its people.

Section 3. Common Use – Wherever occurring in their natural state, fish, wildlife, and waters are reserved to the people for common use.

Section 4. Sustained Yield – Fish, forests, wildlife, grasslands, and all other replenishable resources belonging to the State shall be utilized, developed, and maintained on the sustained yield principle, subject to preferences among beneficial uses.

While conflicts often arise between federal statutes and the state constitution, marine mammal managers have taken steps to direct everyone's efforts toward the same goals. While aimed at protecting specific species, MMPA also mandates that the species be managed as part of the broader ecosystem. MMPA is the final authority for USFWS's sea otter management decisions in Southeast Alaska and allows for consideration of ADF&G recommendations to USFWS.

## Present Day: Where We Stand

### Current Management Structure

Under USFWS, sea otter populations are managed on the "optimum sustainable population (OSP)" principle. According to USFWS and the National Marine Fisheries Service (which has jurisdiction over whales, seals, sea lions, dolphins and porpoises), OSP is defined "with respect to any population stock, the number of animals which will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element." [16 USCS § 1362 (9)]

While growing rapidly, the current sea otter population in Southeast Alaska has not reached the OSP threshold, thus limiting USFWS's ability to manage the resource in a way that accounts for the impacts on commercial fisheries, other industries, communities, and other species.

As an addition to the formal management structure, tribes are making informal attempts at sea otter management. This work is described in more detail in a later section, "Case Study: Reconciliation Attempts with Sealaska Heritage and the Sitka Tribe."

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Native management occurs within the constraints of MMPA, using a provision in the U.S. Congress's 1994 amendments to the act—as found MMPA Section 119—that allow Alaska Natives and federal agencies to work in cooperation towards co-management. Native taking still involves sea otter harvesting only for subsistence purposes and the creation and sale of Native handicrafts, which is to be accomplished in a non-wasteful manner.

USFWS follows the rules in 50 CFR 48321, as previously stated in this report, requiring that handicrafts and clothing are “composed wholly or in some significant respect of natural materials,” are “significantly altered from their natural form,” and are “produced, decorated, or fashioned in the exercise of traditional native handicrafts.” Traditional handicrafts include, “but are not limited to, weaving, carving, stitching, sewing, lacing, beading, drawing, and painting.” Improved methods of production—such as sewing machines and modern techniques at a registered tannery—are allowed “so long as no large-scale

mass-production results.” The mass-production ban extends to items produced through “traditional native groups, such as cooperatives....”

Informal tribal management practices include attempts to reduce sea otter abundance in locally important shellfish areas near communities and to establish a clearer understanding of sea otter harvesting practices. The enforcement of these measures has been a challenge, however, given that no mechanism exists that allows enforcement of the rules for Alaska Native hunters that are not subject to specific tribal ordinances and a lack of clarity about MMPA allowances.

The current law favors species conservation, allowing only subsistence, scientific research, public display, and incidental takings. It aims simply to support sea otter population growth in Southeast until it reaches OSP and does not account for economic impacts, shellfish stock depletion, and more holistic habitat and species management.

## Working on Management Issues<sup>2</sup>

Over the past couple decades, USFWS has hosted many meetings and dialogues to discuss sea otter issues in Southeast Alaska. For a variety of reasons, however, progress has been limited on identifying and implementing actionable items to address resource conflicts in the area. Since MMPA enactment, Southeast sea otter management practices have remained consistent with no major changes.

As demonstrated by various efforts over the years, some public interest exists in Alaska in making changes in federal sea otter management. The latest example of this occurred in 2018 in the 30th Alaska Legislature. State Senator Bert Stedman of District R (which includes Ketchikan, Sitka, Wrangell, Metlakatla, Craig, Petersburg, Klawock and Hoonah) introduced Senate Joint Resolution 13 to address the impacts of Southeast's growing sea otter population.

SJR 13 would have placed the Alaska Legislature on record in support of amending MMPA to allow federal agencies to co-manage the subsistence use of sea otters with the State of Alaska. Supporters hoped that with co-management and increased sea otter subsistence hunting, shellfish stock impacts could be controlled.

SJR 13 passed the State Senate 20-0 on March 28, 2018 but expired in the House Resources Committee with no action taken before the legislature's adjournment. The resolution has not been reintroduced in the current 31st legislature. With regard to the resolution, Senator Stedman told the press, “What we're trying to do here is get the attention of the U.S. Fish and Wildlife Service that we have a problem and ignoring it on their end creates a lot of problems for people who live in Southeast that rely on subsistence

<sup>2</sup> Content for this section was taken from a formal interview conducted with Patrick Lemons, Chief of Marine Mammals Management at USFWS.

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lifestyles to feed their families, and it also impacts our commercial shellfish industry substantially.”

In May 2018, the Marine Mammal Commission (the official MMPA oversight group, as created by MMPA) hosted a meeting in Seattle where conflicts between recovering marine mammal and fisheries

## Scientific Perspective<sup>3</sup>

Given the history of sea otters in Southeast Alaska, much research has been conducted on the population biology and monitoring of this species. This research can be classified into two categories: studies and surveys aimed at describing or understanding changes in abundance and distribution in order to inform management decisions, and studies aimed at understanding the ecological role that sea otter populations play in the broader ecosystem. Both types of research provide insight into understanding the scientific perspective on sea otter management.

Sea otters are considered a keystone species in many coastal areas of the northeastern Pacific, including Southeast Alaska. A “keystone” is defined as a species that has unusually large impacts on ecosystem structure and dynamics, relative to its abundance. Sea otters represent one of the most well-known examples of a keystone species. As they have recovered from near extinction in the fur trade of the 18th and 19th centuries and they have significantly influenced the Pacific Northwest’s nearshore coastal marine ecosystems, in some cases leading to a major shift in ecosystem state from herbivore-dominated to plant-dominated nearshore food webs.

Sea otters occur in inter-tidal and sub-tidal marine waters out to 100m depth, but are usually most abundant out to 40m. The habitats they are found in can be divided into two broad categories: (1) rocky substrate areas, typically dominated by kelp forests and their associated fauna, and (2) areas where the substrate is primarily soft sediment (sandy or muddy sea floor),

populations were discussed. The conflict between commercial dive fisheries and sea otters was raised, and USFWS made a commitment to hold a stakeholder meeting to work on solutions to this issue. As a result, a stakeholder meeting is now set for November 6, 2019, and discussed in further detail below in “November 2019: Stakeholder Meeting.”

often supporting sea grass beds and invertebrate species such as clams, crabs, worms and other species. Historically, most research has focused on sea otter impacts in rocky substrate areas, meaning that sea otter impacts on soft sediment systems are less well understood.

Many past research studies have documented the ways that recovering sea otter populations have significantly changed the ecosystems they inhabit. Areas where sea otters have fully recovered (i.e., populations have reached an equilibrium abundance determined by available prey resources) tend to support more abundant and stable kelp forests, which increases primary productivity and leads to increased populations of species that rely on kelp habitat, including many invertebrates and finfish such as rockfish and greenling, and creates more nursery habitat for species such as herring. At the same time, many shellfish that sea otters prey on, including larger urchins, clams, crabs and sea cucumbers, became much less abundant. In conclusion, established sea otter populations can suppress some shellfish species, including commercially important ones such as clams and crabs, but allow flourishing kelp forests and the corresponding fauna.

One notable research discovery is that sea otter populations, once they become fully established, are very local in their behavior and population dynamics. Previously, sea otters were thought to range over a large regional area, and were often regarded as a single coherent population, though most monitoring,

<sup>3</sup> Content for this section was taken from a formal interview conducted with Tim Tinker, Research Wildlife Biologist with the USGS Western Ecological Research Center.

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management and research occurs at a much smaller scale. Current research indicates that reproductive sea otters have home ranges of only 10-25 km of coastline, with the abundance of local populations ultimately limited by local prey abundance, produc-

## Competing Stakeholder Concerns

The successful re-establishment of the sea otter population in Southeast Alaska has led to resource conflicts and is raising questions about sea otter population management and other affected resources. The foremost concern is the growing sea otter population's impact on shellfish stocks. Sea otter diets consist largely of shellfish, with each sea otter consuming up to a quarter of its body weight every day—averaging between 15 and 25 lbs. of food.

During the century after the extirpation of sea otters from Southeast Alaska, shellfish flourished. In the absence of natural predation, commercial fishing and subsistence benefitted from abundant shellfish stocks.

In the 1990s, a commercial dive fishery developed, relying on lucrative and abundant shellfish species such as geoduck clams, red sea urchins, and sea cucumbers. Currently, over 300 commercial dive fishing operations, with an annual ex-vessel value of \$10 million, operate in Southeast Alaska.

Southeast commercial crab pot fisheries, targeting Dungeness crab, are also a significant industry. According to ADF&G figures, 150 to 208 permits have been fished annually since 2005, generating \$5 million to \$15 million in annual ex-vessel value. After a low harvest 2017, Dungeness catches exceeded 4 million pounds in both 2018 and 2019.

Subsistence shellfish harvesting has occurred for generations, supporting communities throughout Southeast Alaska as a food source and allowing the continuation of traditional practices. The healthy and growing sea otter population, however, offers competition to subsistence users and commercial harvesters

tivity and environmental conditions. This means that the current scale at which sea otters are managed (regionally) may not always correspond directly with the factors that cause population growth and change.

over locally dwindling shellfish stocks. As shellfish diminished in some areas, fishermen and their communities expressed concern about potential and actual levels of recent reduction in income, food availability, and access to historically important species. With the Southeast sea otter population still growing at an estimated annual rate of 8 percent (based on the most recent surveys in 2011), many fishermen and community members are concerned about the continued viability of subsistence shellfish harvesting, the commercial dive fishing industry, and Dungeness crab fishing.

A positive benefit attributed to sea otter recovery in Southeast Alaska is the revival in sea otter skin sewing traditions in the region and the sale of clothing and handicrafts made from sea otter pelts. This has been a financial boon to some Alaska Native hunters and artisans. Economic studies have demonstrated that a single craftsperson can earn up to \$35,000 a year sewing and selling products made of sea otter, which has one million hairs per square inch, making it the most luxurious fur in the world.

An additional positive benefit often attributed to sea otter population recovery is an increase in kelp and seagrass, which provide both carbon sequestration and act as a nursery for important finfish species such as salmon, herring, and rockfish. Future research is needed to quantify the degree to which sea otters may contribute to kelp and seagrass growth in Southeast Alaska and future economic research is needed to determine whether this potential positive impact outweighs or offsets the shellfish losses in Southeast, though research in California indicated net benefits in a coastal area (Loomis, 2006, *Coastal Manage* 34:387-404).

## Ongoing Challenges

Sea otter protection and management in Southeast Alaska has been successful from the perspective of the conservation and recovery of an extirpated marine mammal population. However, sea otter recovery has also been associated with reductions of several shellfish species of value to the commercial, personal-use, and subsistence fisheries. Because of these economic and social impacts, some user groups want to explore ways to mitigate sea otter and fisheries conflicts through management.

Sea otter recovery is also associated with a variety of indirect effects to coastal ecosystems. Increases in kelp abundance and productivity has benefits for various invertebrate and finfish species that depend on kelp for habitat and sustenance, and it contrib-

utes to ecosystem stability (e.g. carbon sequestration, reduced wave energy, and less coastal erosion). Sea otters are also a favorite tourist viewing experience. The direct tie between visitor industry economics and sea otter viewing, along with sea otter handicraft purchases, has yet to be quantified.

Existing management approaches and some of the proposed “alternative” approaches have been largely conceived at a regional scale (i.e. the scale of the entire Southeast Alaska sea otter stock). However, recent scientific findings show that sea otter populations, and their direct and indirect impacts, are structured at much smaller scales. Therefore, any effective management strategies should be designed around localized sea otter and resource management.

## Case Study: Sealaska Heritage and the Sitka Tribe<sup>4</sup>

As designated by MMPA, Alaska Natives may harvest sea otters for subsistence use, for producing pelts to be sold exclusively to other Alaska Natives, and for creating handicrafts that can be sold to anyone in the United States provided they are “significantly altered.”

Sealaska Heritage and the Sitka tribe established a partnership to promote traditional practices associated with the harvest of sea otters. The partnership established classes that taught Alaska Natives how to sew with sea otter pelts and make handicrafts that were legally accepted under MMPA as “significantly altered.” After the development of a tannery, as well as the growth of local sewing and handicraft skills, the Sitka area sea otter take in 2012-2014 averaged

395 harvested animals, which was about 230 percent greater than the long-term average. Harvests from 2015-2017 averaged 342 animals (USFWS, unpublished data).

The project was suspended when state funding was cut after 2014. However, by 2016, in locations where many sea otters were taken, anecdotal evidence indicated an increase in abalone, red sea urchins, and geoduck clams. Because of continued community interest, many people involved in the initial project are interested in procuring funding to reinstate this program.

<sup>4</sup> Content for this section was taken from a formal interview conducted with Mike Miller, Chair of the Sitka Marine Mammal Commission.

## Planned Path Forward

### Key Stakeholders

This section attempts to identify the key stakeholders involved with Southeast sea otter issues. Stakeholder meeting organizers have worked in recent months—in coordination with the steering committee—to reach out to the stakeholders to request feedback and direction for the fall meeting. Any ideas on additional stakeholder names/contacts to add to the current list can be sent to [kohls@northstargrp.com](mailto:kohls@northstargrp.com).

In general, the main groups participating in the discussions about sea otter management include:

- Subsistence users, including both Alaska Native individuals and federally recognized tribes
- Commercial dive fishing industry
- The wider commercial fishing industry, including crab fishermen, external to dive fishing
- Scientists

#### U.S. Fish & Wildlife Service

*Representatives: Patrick Lemons, Chief, Marine Mammals Management; Joel Garlich-Miller, Wildlife Biologist; Lilian Carswell, Southern Sea Otter Recovery Coordinator; Deanna Lynch, Biologist*

Federal agency charged by the Marine Mammal Protection Act with primary responsibility for managing sea otters. Sponsor and organizer of the November stakeholders' meeting. The meeting purpose and goal is for USFWS to listen to and consider stakeholder views.

#### Marine Mammal Commission

*Representatives: Mike Gosliner, General Counsel; Vicki Cornish, Energy Policy Analyst & AK Native Liaison*

An independent agency of the federal government, the commission provides independent, science-based oversight of domestic and international policies and actions of federal agencies addressing human impacts

- Conservationists
- Recreational and personal use harvesters
- Tourism industry representatives, sightseeing vessel operators
- Craft-makers and artisans working with traditional and natural materials
- Federal and state wildlife and fisheries managers (with authority over federal and state regulations that govern species management, harvests, and other key dynamics)

In addition to individual public members, below is a list of organizations and stakeholders that have input or interest in conversations regarding the management of sea otters in Southeast Alaska. Additions and information updates to this list are welcome.

on marine mammals and their ecosystems. MMPA, enacted in 1972, provides the authority & describes the commission's mission and duties.

#### USGS Alaska Science Center

*Representatives: James Bodkin, Emeritus; George Esslinger, Zoologist; Grant Hilderbrand, Office Chief-Marine Ecology; Daniel Monson, Research Wildlife Biologist*

The center provides objective and timely data, information, and research findings about the earth and its flora and fauna to federal, state, and local resource managers and the public to support sound decisions regarding natural resources, natural hazards, and ecosystems in Alaska and circumpolar regions.

#### USGS Western Ecological Research Center

WEREC serves California and Nevada. Its scientists work closely with federal, state, academic, and other collaborators to address a diverse array of re-

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search topics including wildfire effects, sea level rise, drought, energy development and federal trust species. WERC offers independent scientific second opinions on Alaska sea otter research proposals and findings.

## **UC Santa Cruz and Nhydra Ecological Research**

*Representative: Tim Tinker, Research Wildlife Biologist, Emeritus*

Dr. Tinker is an independent researcher, with adjunct professor status at University of California Santa Cruz and retired emeritus status with U.S. Geological Survey Western Ecological Research Center (WERC) where he was formerly project leader for sea otter research. Dr. Tinker no longer represents USGS, but can discuss published research for which he collected data as a USGS scientist.

## **Sitka Marine Mammal Commission**

*Representative: Mike Miller, Chair*

Organized to protect Sitka's marine mammals and tribal citizens' traditional usage rights. The Sitka Tribe of Alaska operates a Tribal Tannery. Participated with USFWS in a Sitka Sound sea otter co-management project.

## **Alaska Department of Fish & Game / Division of Wildlife Conservation**

*Representatives: Lori Polasek, Marine Mammals Program Coordinator; Edward Grasser, Director, Division of Wildlife Conservation; Doug Vincent-Lang, Commissioner, ADF&G*

Conducts numerous long-term, nationally and internationally recognized research projects which supplement and complement those undertaken by federal agencies and Alaska Native organizations. Most research funding comes from federal sources. Project results have substantially increased knowledge of marine mammal biology & ecology, improved the understanding of how marine mammals interact with commercial fisheries, provided information to Alaska Natives for marine mammal subsistence use, integrated with public wildlife viewing programs, and provided a credible, objective source of information for organizations concerned about human

activity impacts on marine mammals. Works closely with National Marine Fisheries Service, USFWS, and Alaska Native marine mammal organizations to promote co-management of marine mammals.

## **Southeast Alaska Regional Dive Fisheries Association**

*Representatives: Phil Doherty & Kate Sullivan, Co-Executive Directors*

SARDFAs mission is to develop, expand, and enhance new and existing Southeast dive fisheries. SARDFAs is concerned about ADF&G's closures of commercial harvest areas for abalone, sea urchins, geoduck clams, sea cucumbers, and Dungeness crab because of sea otter consumption of those species. SARDFAs supports "an ecosystem-based sea otter management plan benefiting all users of these resources and protecting the resources from depletion." Website provides access to a comprehensive set of documents regarding sea otter management issues.

## **Alaska Sea Otter & Steller Sea Lion Commission**

*Representatives: Margaret Roberts, Chair; Patrick Norman, Vice-Chair; Helen Aderman, Secretary; Patty Lekanoff-Gregory, Treasurer*

A statewide tribal consortium representing tribes from Kodiak Island, Chugach/Prince William Sound, southeast Alaska, Cook Inlet, Aleutian Islands, Alaska Peninsula, and Bristol Bay. Its mission is to develop and protect Alaska Natives' rights for sea otter/Steller sea lion customary & traditional uses through co-management, conservation, research, education and artistic development.

## **Shellfish Preservation Alliance**

*Representatives: John Moller, President; Carley Thayer, Vice President; Kathryn Hansen, Sec./Treas.*

SPA advocates for the preservation of shellfish resources important to subsistence, personal use, sport and commercial users by creating an ecological balance between the shellfish resource, humans, and predators (sea otters). Supports measures that would allow more Alaska Native hunting of sea otters. J. Moller currently works as the fisheries policy advisor in the Office of the Governor.

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## **Southeast Alaska Fishermen's Alliance**

*Representatives: Tim Grussendorf, President; Mac Meiners, Vice President; Kathryn Hansen, Executive Director*

As a non-profit, membership based, multi-gear commercial fishing organization, SEAFA's goal is to preserve, promote, protect and perpetuate the fishing industry, for the salmon, crab, shrimp and longline fisheries of Southeast Alaska. It assists in maintaining, enhancing and prolonging the longevity of the commercial fishermen, commercial fishing industry, coastal communities and the sustainability of the resources. It promotes legislation, conservation, management, safety at sea and the general welfare for the mutual benefit of all members.

## **Southeast Alaska Tourism Council**

A cooperative marketing organization whose members represent the convention and visitors' bureaus in Alaska's Inside Passage communities.

## **Southeast Alaska Guides Association**

*Representative: Forrest Braden, Executive Director*

SEAGO represents southeast Alaska charter fishing and lodge operations on all critical issues and promotes the tradition of sport fishing through reasonable regulations that ensure the long-term sustainability of businesses and fisheries resources.

## **Central Council of the Tlingit and Haida Indian Tribes of Alaska**

*Representative: Richard J. Peterson, President*

The Central Council is a tribal government representing and providing a wide range of services to over 30,000 Tlingit and Haida Indians worldwide. It is a sovereign entity and has a government to government relationship with the U.S. Its mission is to

preserve sovereignty, enhance economic and cultural resources, and promote self-sufficiency and self-governance for its citizens. THCC is based in Juneau, AK. Much of its membership resides in communities throughout SE Alaska.

## **Indigenous People's Council for Marine Mammals**

*Representatives: Mike Miller, Chair; Taqulik Hepa, Vice-Chair*

Formally organized in January 1992, IPCoMM is a coalition of Tribal marine mammal commissions, councils and other Native organizations formed for the purpose of identifying and addressing marine mammal issues of common concern. Its vision is to promote the wise use of renewable natural resources by Indigenous peoples. IPCoMM meets twice a year for its members to discuss issues regarding marine mammal conservation and subsistence. The Alaska Sea Otter & Steller Sea Lion Commission is an IPCoMM member.

## **Alaska State Legislature**

*Representatives: Sen. Bert Stedman (R-District R); Randy Ruaro, Legislative Aide*

Responding to complaints that a growing SE sea otter population is devastating the shellfish biomass, Sen. Stedman introduced SJR 13 in 2018, which supported amending MMPA to allow federal agencies to co-manage subsistence use of sea otters with ADF&G and Alaska Native organizations, and to permit more hunting of sea otters. SJR 13 offered a comprehensive list of sea otter-related possible amendments to MMPA. SJR 13 passed the State Senate 20-0 on March 28, 2018. Due to lack of time, it expired in the House Resources Committee with no action taken upon the legislature's adjournment. The resolution has not been reintroduced in the current legislature.

## November 2019: Stakeholder Meeting

The potential level of conflict over sea otter management makes clear that a careful and inclusive dialogue is required to move forward. Building research and management plans will involve collaboration, listening, and clearly defined goals for each stakeholder group. Solutions to identified problems will likely revolve around finding acceptable compromises that lead to mutually agreeable management plans and practices.

The stakeholders meeting planned for November in Juneau is one of several attempts to bring stakeholders together to create a long-term approach to managing sea otter populations. At the event, a diverse group of stakeholders will have an opportunity to discuss the issue productively, to share information and research, and to explore and collaborate on ideas for management options.

Participants will share data on status and trends for the Southeast stock of northern sea otters, review the regulatory framework for sea otter management in Alaska, discuss the conflicts and the benefits (such as healthy kelp forests) created by the growing sea otter population, and seek input from stakeholders (commercial fishing, tourism, recreational, subsistence, personal use, and conservation) on management options to reduce user group conflicts. The intent is for the stakeholder meeting to be a meaningful forum where sea otter data and the existing management system can be reviewed, and stakeholder recommendations can be formulated.

More information about the meeting can be found on the project website at <https://www.seaotterstakeholders.com/>.

Meeting activities will comprise the following agenda (modifications possible).

**Tuesday, November 5, 2019** – 5:30 – 7:30 p.m. Welcoming Reception (time and location to be confirmed)

**Wednesday, November 6, 2019** – Lecture Hall at the Andrew P. Kashevaroff Building, 395 Whittier Street, Juneau, AK – Alaska State Library, Archives & Museum

- |            |   |
|------------|---|
| 8:30 a.m.  | Welcoming Remarks   |
| 8:40 a.m.  | Presentations   |
|            | <ul style="list-style-type: none"><li>• Status of the Stock</li><li>• Harvest Effects on the Southeast Stock</li><li>• Sustainable Arts Case Study</li><li>• Management and the MMPA</li><li>• Status of Impacted Subsistence and Commercial fisheries</li><li>• Resource Conflicts (perhaps combined with above)</li><li>• Other Ecosystem Effects of Sea Otter Recovery</li></ul> |
| 10:30 a.m. | Nominate Topics for Discussion  |
| 11:00 a.m. | First Exercise  |
| 12:15 a.m. | Lunch Break   |
| 1:15 p.m.  | Second Exercise   |
| 2:30 p.m.  | Third Exercise  |
| 3:30 p.m.  | Presentation and Review of Exercise Results   |
| 4:30 p.m.  | Wrap-Up Discussion  |
| 5:00 p.m.  | Adjourn   |

## Next Steps

Following the meeting in November, a variety of next steps may be identified for moving forward on sea otter issues in Southeast Alaska. In considering input from a variety of stakeholders, the next steps clearly must be framed around realistic actions that can be taken by USFWS, and others, in accord with the management goals prescribed by MMPA.

Outside of organization and agency-specific next steps determined by those that will attend the stakeholder meeting in November, NSG will work with USFWS

and the steering committee to prepare post-meeting informational materials, which could include a collaborative action plan, and meeting notes and report. The expectation exists that these documents will not only frame the issues clearly, they will also articulate mechanisms that contribute to solving the conflicts surrounding sea otters in Southeast Alaska. These documents will be distributed to interested stakeholders in the months after the stakeholder meeting and will be made available on USFWS's website.

## Recommendations

In conducting formal interviews with individuals involved in sea otter research and management—reflecting a variety of perspectives—a number of recommendations were offered about how to move forward on constructive dialogue and collaborative management for sea otters in Southeast. Where some recommendations stood out as pre-workshop expectations, still others were suggestions for meeting outputs. The recommendations are stated below.

### Pre-Meeting

- Invite a wide variety of stakeholders to ensure that all voices affected by this issue are heard and considered. Make a major effort to inform stakeholders throughout Southeast, and beyond, about the meeting and encourage their participation to ensure that the issue is considered in a complex and representative manner. Through active participation, stakeholders will learn about current data, discuss the issues, and formulate ideas for solutions, all crucial for ensuring a successful meeting.
- Develop a clear understanding of mechanisms of action that USFWS is willing and able to take in sea otter management. This should help steer meeting conversation in a way that provides tangible answers, as opposed to exploring ideal scenarios that may be prohibitively complicated because of federal law.

- Build a clear and accurate understanding of what the most recent research shows regarding sea otter population size, habitat expansion, and impacts. Without the most recent data, accurate decision making that fully accounts for the complexity of the situation will not be possible.
- Bridge the gap between Western science and Indigenous knowledge. It is critical to understand the sea otter population change impacts on a community level from Indigenous knowledge holders and community members, especially given that most of Southeast's smaller rural communities are majority Indigenous.

### During the Meeting

- Ensure the conversation is action-oriented, high level and directed at what is legally possible, instead of an introduction to the issue. Most of the attendees understand the issue at a complex level and the agenda and corresponding discussion should reflect that.
- Dig into spatial questions that specifically describe what certain stakeholders have seen in terms of changing sea otter abundance and distribution. Because of the regional specificity of sea otter populations, each community has a different history of engagement, leading to a unique present context that needs to be understood.

# Framing the Conversation: Sea Otter Management in Southeast Alaska

## Post-Meeting

- Structure continuing discussions around community-specific impacts. Look at individual community situations and changes in community-specific sea otter populations, and then focus on how issues can be addressed in each community.
- For the Southeast sea otter population, attempt to develop data for local population dynamics to analyze the status of location-specific sea otter populations. This would contribute to the potential

## Conclusion

All the elements are in place for a successful Southeast Alaska sea otter stakeholders meeting.

The information about sea otters is largely not in dispute. Under MMPA, sea otter recovery has been a conservation success, with the population approaching carrying capacity in some areas and still increasing and expanding in distribution in other areas. At the same time, ecosystem impacts from the growth of sea otter populations are widely recognized. Sea otters consume significant shellfish resources and can deplete the shellfish stocks in specific areas, causing significant income loss for commercial dive fisheries and Dungeness crab fishermen and reducing harvests by subsistence users and personal-use harvesters. Again, at the same time, the reduction of sea urchins and other grazers may contribute to flourishing kelp forests and sea grass beds, providing nursery habitats for important finfish species.

Standing over an evolving and changing situation as the governing authority is the Marine Mammal Protection Act. MMPA was enacted and implemented to achieve certain defined goals and therefore all management practices must comply with MMPA requirements and intent.

Over the years, possible MMPA amendments have been proposed and discussed. Amending this federal law, however, would be a difficult, controversial and a time-consuming process. Whatever potential changes are identified, the existing law and its current provisions are likely to remain in place for the near future.

development of local management plans.

- Identify a second focal community that could be used to see if the effects of the Sitka case can be replicated elsewhere.
- Find funding for the Sitka Tribe and Sealaska Heritage to resume the project to recruit craft-makers to develop sea otter pelt products from Native-harvested furs, stimulate economic opportunities, and manage sea otter populations.

For the present, all immediate sea otter management modifications must therefore occur under MMPA and meet the law's requirements. Within this stricture, sea otter stakeholders recognize that the ecosystem is not static and that improvements in management practices to reflect a changing environment are worthwhile and needed.

To accomplish shared goals, meeting participants need to keep an open mind during the presentation of research results and data while using the opportunity to ask relevant questions. Participants also need to understand and appreciate the perspectives and positions of other stakeholder groups and need to engage in a courteous and respectful dialogue with everyone attending the meeting. One purpose of this report is to present information and encourage discussion that facilitates this conduct.

While the issues involved in marine mammal management are complicated and challenging, all stakeholders have a vested interest and much to gain from a workable outcome.

*This report is a working document—last revised on October 18, 2019—written to aid the development of an open process that fully engages Southeast Alaska stakeholders to advise in the management of sea otters. Any feedback and/or questions regarding this outreach initiative can be directed to Patrick Lemons, Chief, Marine Mammals Management, USFWS at [patrick\\_lemons@fws.gov](mailto:patrick_lemons@fws.gov) or to North Star Group at [erin@northstargrp.com](mailto:erin@northstargrp.com).*