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## **CALIFORNIA COASTAL COMMISSION GIVES GREEN LIGHT TO END THE ‘NO-OTTER’ ZONE**

CCC FINDS THAT PROPOSED TERMINATION OF  
SOUTHERN SEA OTTER TRANSLOCATION PROGRAM  
IS CONSISTENT WITH CALIFORNIA COASTAL ACT

**Huntington Beach, CA**—By unanimous vote, the California Coastal Commission yesterday confirmed that the U.S. Fish and Wildlife Service’s (FWS) proposal to terminate the failed southern sea otter translocation program is consistent with the coastal protection policies of California’s Coastal Act. The Commission’s decision represents an important milestone in the effort to finally repeal the “no-otter” zone--an outdated rule from 1987 prohibiting threatened southern sea otters from California waters south of Point Conception (Santa Barbara County). Allowing otters to once again inhabit southern California waters is considered critical to the recovery of the species under the Endangered Species Act, but the decision to declare the translocation program a failure has been delayed by more than two decades. Under a 2010 legal settlement reached by The Otter Project and the Environmental Defense Center (EDC) with FWS, the agency must make a final decision on the translocation program and the fate of the “no-otter” zone by December 2012.

“The Commission’s decision brings us one step closer to having southern sea otters fully protected throughout California and freely swimming in Southern California waters. This is a crucial outcome supporting recovery of one of California’s most charismatic marine species,” said Steve Shimek, Chief Executive and Founder of The Otter Project.

“Allowing southern sea otters return to southern California coastal waters will be a great benefit to the region’s economy and environment,” stated Brian Segee, Staff Attorney with EDC. “It also serves the purposes of the California Coastal Act, which promotes the protection and restoration of the marine environment and threatened species such as the southern sea otter.”

The Commission’s decision to concur with FWS’ “consistency determination” was required by the federal Coastal Zone Management Act, which mandates that federal actions affecting a state’s coastal zone must be consistent with that state’s coastal protection policies. In California,

these policies are embodied in the California Coastal Act. In reaching its decision, the Commission rejected arguments made by the California Sea Urchin Commission and other shellfish industry groups that it delay making its decision. Several Commissioners noted that it has long been clear that the translocation program has failed and continuing the program will continue to hinder recovery of the population. Moving sea otters out of the current “no otter” zone resulted in harm and even mortality. As sea otters have begun to slowly move into southern California waters, it is important that they be fully protected.

Shellfish groups have, however, successfully lobbied to include a provision in the House National Defense Authorization Act for Fiscal Year 2013 providing them with exemptions to “take” (kill, harm, or harass) southern sea otters that would otherwise be illegal under the federal Endangered Species Act and Marine Mammal Protection Act. The Otter Project and EDC are working to remove this provision, which would provide special treatment for all fishing groups in Southern California and has no place in a bill explicitly for national defense and support of our nation’s armed forces.

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*The Otter Project protects our watersheds and coastal oceans for the benefit of California sea otters and humans through science-based policy and advocacy. Founded in 1998, The Otter Project has worked to improve nearshore ocean health and resolve the barriers to sea otter recovery. Learn more about The Otter Project at [www.otterproject.org](http://www.otterproject.org).*

*The Environmental Defense Center, a non-profit law firm, protects and enhances the local environment through education, advocacy, and legal action and works primarily within Santa Barbara, Ventura, and San Luis Obispo counties. Since 1977, EDC has empowered community based organizations to advance environmental protection. Program areas include protecting coast and ocean resources, open spaces and wildlife, and human and environmental health. Learn more about EDC at [www.EnvironmentalDefenseCenter.org](http://www.EnvironmentalDefenseCenter.org).*